

# The Uttar Pradesh Civil Laws (Reforms and Amendment) Act, 1976 Act 57 of 1976

Keyword(s): Code of Civil Procedure, Appeal, Agreement

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THE UTTAR PRADESH CIVIL LAWS (REFORMS AND AMENDMENT) The both the prime that out the potent and the 1976 of will out at

(U. P. ACT NO. 57 OF 1976) (Contract)

\*[Authoritative English Text of the Uttar Pradesh Civil Vidhi (Sudhar Aut Sanshodhan Adhiniyam, 1976]

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further to amend the Code of Civil Procedure, 1908, the Arbitration Act, 1940, the Indian Contract Act, 1872, the Bengal, Agra and Assam Civil Courts 1) Single Act, 1887, the Provincial Small Gause Courts Act, 1887, the Transfer Act, 1908, and the Hindu Adop-Uttar Pradesh.

rolled adjust the Twenty-seventh Year of Republic of India as ing rule shall be substituted, namely :--

#### "S. & Variting of RETEARD in within to Hoparit admitted reat, etc.

enter the trails accorded to maintain and PRELIMINARY in the all of a conjugate to the contract and more a set of the west of the neighbour title, and I. 1 (1) This Act may be called the Uttar Pradesh Civil Laws (Reforms extent and com-mencement. Amendment) (Act, 1976.) the through the particular

(2) It extends to the whole of Uttar Pradesh

vidingers with 1(3) It shall come into force on such date as the State Government may tions are by notification, appoint in this behalf, we a militie out times

### I am at both in making the depose of the curre amount admitted by the to be due or the intends amount three as aforesaid, the come may 201 AMENDMENT OF THE CODE OF CIVIL PROCEDURE, 1908

Amendment of state 2nd In the Code of Civil Procedure, 1908 (hereinafter in this Chapter of referred to as the principal Act) in section 35-A, after sub-section (1), the Act V of 1908 of following sub-section shall be inserted, namely:

"(1-A) The provisions of sub-section (1) shall mutatis mutandis apply to an appeal where the appellate court confirms the decision of the trial court and the trial court has not awarded, or has awarded insufficient, compensatory cost under that sub-section."

Amendment of sec 3. In section 47 of the principal Act, Explanation II inserted by the section 47. U. P. Civil Laws (Reforms and Amendment) Act, 1954, shall be omitted.

U.P. A 24 of 19:

<sup>\*</sup>For Statement of Objects and Reasons please see Uttar Pradesh Gazette Extraordinary, dated November 5, 1976.

Passed in Hindi by the Uttar Pradesh Legislative Assembly on November 2, 1975 and by the Uttar Pradesh Legislative Council on November 8, 1976.

Received the assent of the President on December 30, 1976 under Article 201 of the Constitution of India and was published in Part I (a) of the Legislative Supplement of the Uttar Pradesh Gazette Extraordinary, dated December 31, 1976,

Amendment of First Schodule. Order II.

- 4. In the First Schedule to the principal Act (hereinafter in this Chapter referred to as the First Schedule), in Order II, in rule 2-
  - (a) the existing explanation shall be numbered as Explanation I. and after Explanation I, as so numbered the following Explanation II, shall be inserted, namely:-

"Explanation II—For the purposes of this rule a claim for ejectment of the defendant from immovable property let out to him and a claim for money due from him on account of rent or compensation for use and occupation of that property, shall be deemed to be claims in respect of distinct causes of action.";

(b) for the illustration, the following illustration shall be substituted, namely:-

"Illustration—A lets immovable property to B at a yearly rent. The rent for the whole of the years 1905, 1906 and 1907 is due and unpaid, and the tenancy is determined before A sues B in 1908, only for the rent due for 1906. A may afterwards sue B for CERCHINATION OF PROPERTY DATE FOR THE PROPERTY OF A 1905 FOR 1907. THE

Insertion Order IV-A.

5. In the First Schedule, after Order IV, the following Order shall be inserted, namely and your on you and A U)

1. Consolidation of suits and proceedings-When two or more suits or proceedings are pending in the same court, and the court is of opinion that it is expedient in the interest of justice, it may by order direct their joint trial, whereupon all such suits and proceedings may be decided upon the evidence in all or any such suits or proceedings."

Amendment of the 6.88 In the First Schedule, in Order VI, in ville 18, in sub-rule (1), for Order YIob words "at the foot", the following words shall be substituted, namely:to the State of on oath administered by an officer empowered under section 139 of the Code,".

64 16.21

Amendment of 7. In the First Schedule, in Order XV, for the existing rule 5, the following rule shall be substituted, namely:-

"5. Striking off defence on failure to deposit admitted rent, etc.-(1) In any suit by a lessor for the eviction of a lessee after the determination of his lease and for the recovery from him of rent or compensa-18 18 1921 (1921) tion) for suse and joocupations the defendent shall, at for before the first 18049 hearing of the suit, deposit the entire amount admitted by him to be due together with interest thereon at the rate of nine per centum per annum and whether or not he admits any amount to be due, he shall THE MEASURE OF THE WEST OF THE WASHINGTON OF THE WALL OF THE WORLD SHE WASHINGTON THE SECURITY OF THE SECURITY amount due within a week from the date of its accrual, and in the event of any default in making the deposit of the entire amount admitted by him to be due or the monthly amount due as aforesaid, the court may subject to the provisions of sub-rule (2), strike of this defence.

notestion side of Explanation dee The expression first hearing mannathes date for fling members the state of the second written statement or for hearing mentioned in the summons of where more than oneyloof such dates are imentioned a date last of the dates mentioned.

Explanation 2—The expression entire amount admitted by him to be due means the entire gross amount, whether as rent or compensation for use and occupation, calculated at the admitted rate of rent for the admitted period of arrears after making no other deduction except the taxes, if any, paid to at local authority alin respect of the building fon lessor's account and the amount, if any ideposited in any court under section 30 of the U. P. Urban Buildings (Regulation of Letting, Rent and Eviction) Act, 1972.

Explanation 3-The expression monthly amount due means the amount due every month, whether as rent or compensation for use and occupation at the admitted rate of rent, after making no other deductions except the taxes, if any, paid to a local authority in respect of the building on lessor's account.

U P Act 13 of 1972

matted adt in (2) Before making an order for striking off defence, the court may consider any representation made by the defendant in that behalf provided such representation is made within 10 days, of the first hearing or, of the expiry of the week referred to in sub-section (1), as the case may beighbitani, matempat e 142 (14) 1411.

The amount deposited under this rule may at any time be withw minimudai ozig i

Provided that such withdrawal shall not have the effect of prejudicing any claim by the plaintiff disputing the correctness of the amount deposited: deposited : अक्षान्य है है । कार्य के किया है । कार्य के किया है । अक्षान्य के किया है । कार्य के किया के किया

Provided further that if the amount deposited includes any sums claimed by the depositor to be deductible on affirmaccount, the court may require the plaintiff to furnish security for such sum before he is allowed to withdraw the same " without all the bounds grave.

The State of the First Schedule, in Order XVI esting summons is located, if one teas here. Spalure if (a) the appoint

Amendment of Order XVI.

(i) in sub-rule (1) at the end, the following proviso shall be MVXX reed No. 01 inserted, namely:—

"Provided, where Government" is the party" applying for incomment be declared that of an summons to a Government servant, it shall not be necessary the servant for it to make any such payment into court.":

(ii) sub-rule (4) as inserted by the Allahabad High Court shall be omitted and after sub-rule (4) as inserted by the Code of Civil water in terming Procedure (Amendment) Act, 1976, the following sub-rule shall be witness out to inserted namely at notices to anotherize out to

"(4-A) Allowances, etc. of," Government servant witnesses the most spine restaurant to be lowed and costs. Any travelling, and daily allowances and to be most spine in the spine of the spine of the most spine in the spine of the spi

testing in guidaned Explanation In The travelling and daily allowances shall be an envoluing variance explanation with the in trules in governing such allowances, applicable to the Government servant in question.

The daily allowance and salary of the Governno groups a ment servant shall be proportionate to the number of days of his
attendance required by the Court.";

(b) in rule 4, the forthwing proviso shall be inserted, namely:

"Provided that nothing in this rule shall apply to a case where the witness is a Government servant summoned at the instance of (c) to stay the proceeding a far trismarsvedy of any dues

recoverable as hand revenue unless adequate scentity is hurord gnitzing to the second of the secon expression with the support (h) in any matter where a reference can be made to the

Amendment of Order XIX.

and oil of Provided that Iffite appears to the Court, whether at the instance of either party or otherwise and whether before or after the filing of such affidavit, that the production of such witness for cross-examination is necessary and his attendance can be produced, the Court shall order the attendance of such witness, whereupon the witness may be examined, cross-examined and re-examined."

anolog in the First Schedule, in Order XXI, rule 104, rule 105 and rule 106 as inserted by Allahabad High Court shall be re-numbered as rule 106-A, rule 106-B and rule 106-C respectively.

Amendment of Order XXI.

11. In the First Schedule, in Order XXVII-

(a) in the marginal leading after the words "official capacity" the words "or Statutory Authorities, etc." shall be inserted;

Amendment of Order XXVII.

P Act 13 of 1972

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Book 201

### "10. Suits by or against statutory authorities—

- (1) Any authority or Corporation, constituted by or under any law, may, from time to time appoint a Standing Counsel, to be called Corporation pleader of that authority, in any district and give information of such appointment to the District Judge.
- (2) The Corporation pleader so appointed shall be the agent in that district of the appointing authority or Corporation for purposes of receiving processes against it, but shall not act or plead without filing a Vakalatnama or memorandum of appearance."

12. In the First Schedule, in Order XXIX, in rule 2, after clause (a), the following clause shall be inserted, namely: Order XXIX.

> "(aa) on its corporation pleader in the district where the Court issuing summons is located, if one has been appointed and the appointment has been notified to the District Judge under rule 10 of Order XXVII, के अवस्थात है अर्थ पर है

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Amendment of 13. In the First Schedule in Order XXXIX-

Order XXXIX. (a) in rule 2, in sub-rule (2), the following proviso shall be inserted, namely : 1100 आमं अञ्चलपूर्व तेजीह राग्य किया में है, हन

### Provided that no such injunction, shall be granted—

the state parameter (a) where not perpetual injunction could be granted in view of the provisions of section 38 and section 41 of the specific Relief Act, 1963, or seminately (A-1)"

Act 4

- to talks marrie mile community with the stay the operation of an order for, transfer, suspension, The distriction in rank, compulsory retirement, dismissal, removal or me no the otherwise termination of service of or taking charge from, any ches as philips employee including any employee of the Government, or
- and Healer commonths vii(d) to stay, any disciplinary proceeding pending or intended commontal three group the effect of any adverse entry, against any employee of the incited Covernitient, dramaravol and or alducidate
- sire of the violet (d) to affect the internal management or affairs of, any educational institution including a University, or a society, or

(i) in color between the restrain any election or at the site of

(f) to restrain, any auction intended to be made or, the effect of the best of any auction made, by the Government, or the fact of the best of the bes

(g) to stay the proceedings a for the necovery of any dues recoverable as land revenue unless adequate security is furin the First Schedule, in Order XIX in orderland

(h) in any matter where a reference can be made to the formation with the rest Chancellor tof a University, under any, enactment for the time ends that notices being an force, in this painted to young mains to

description of the fourthest according

and any order for injunction granted in contravention of these provi-

### in rule 4—

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- (i) after the words "by the court" othe words "for reasons to be recorded, either on its own motion or shall be inserted;
  - (ii) at the end, the following proviso shall be inserted, namely:-

"Provided that if at any stage of the suit it appears to the Court that the party in whose favour the order of injunction exists is dilating the proceeding or is otherwise abusing the process of Court, it shall set aside the order for injunction.".

14. In the First Schedule, in Order XLV, in rule 2, after sub-rule (2), the following sub-rule shall be inserted, namely:

Amendment of Order XLV.

"(3) Notwithstanding anything contained in sub-rule (1), whoever desires to appeal to the Supreme Court, may apply orally to the Court whose decree is to be complained of, immediately before or after the pronouncement of the judgment by the Court, for a certificate contemplated in sub-rule (1) of rule 3, and the Court may either grant or refuse the certificate, or direct the applicant to file a petition as required by sub-rule (1):

FERRI OF

Provided that if an oral application is entertained and rejected, no written petition under sub-rule (1) shall lie."

### CHAPTER III

### AMENDMENT OF THE ARBITRATION ACT, 1940

Section 4 of the Arbitration, Act, 1940, hereinaster in this Chapter referred to as the principal Act, shall be renumbered as sub-section (1) thereof, and after sub-section (1) as so renumbered, the following sub-sections shall be inserted, namely: be inserted, namely:-

Amendment of section 4 of Act

mit Jam r main dies mi "(2) In every such case where any appointed arbitrator neglects, or refuses to act, or becomes incapable of acting or dies, the vacancy shall be supplied by the person designated as aforesaid. reach the above around no short than the sourced put in him

(3) In case the person designated as aforesaid fails, to make the appointment under sub-section (1) or to supply the vacancy under sub-section (2), within one month after the service of notice on him by either party to the arbitration agreement, the parties may jointly appoint an arbitrator or supply the vacancy, as the case may be.

16. In section 8 of the principal Act, in sub-section (1), in clause (b), sais for the words: "and the parties or the arbitrators, as the case may be, do not section 8. supply the vacancy" the words "and as the case may be, the parties or the arbitrators do not supply, or the person designated does not under sub-section (3) of section 4 supply, the vacancy shall be substituted.

Amendment of

17. In section 9 of the principal Act—

(a) in clause (b), for the words "fifteen clear days" the words "one section 9. month or where that party is Government for three months" shall be the latest date of their respective appointments." Restated is under the other

Amendment of

and we we kin (b) in the Explanation, for the words f within the meaning of section 8 add the lattened this section without within the meaning of sub-section (2) of ; helititelisection 4] esection & and this section is hall be substituted to an

as said 18 m section 20 of the principal Act & increased in (d)

Amendment of section 20.

and the total (a) for the existing marginal heading, the following shall be substituted, then total namely: namely: namely: be substituted, and limit would not sent to court for making reference; ;

an amil home (b) in sub-section (i) for the words "the agreement be filed in court" the months words "a reference be made according to the agreement" shall be an amil of substituted;

the come may allow? shall be substituted: (c) in sub-section (3), for the words "why the agreement should not be filed" the words "why a reference in accordance with the agreement should not be made" shall be substituted;

το στος, ε η (ii) nin sub-section ((ii) → του ου ε το που συνό ...

The state of the words "shall order"the agreement to be filed and" shall be state on the omitted; The state of the same in the state of the same in

(ii) at the end, the following explanation shall be inserted, namely:

"Explanation-Where the arbitration agreement provides for reference to a person by name or designation, the fact that the arbitrator or the umpire so named or designated, is an employee of, or is otherwise connected with, one of the parties, shall not by itself, be deemed to be a reason for not referring the matter to the arbitrator or the umpire so named or designated."

Act 4 1963.

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19. In section 34 of the principal Act, at the end the following explanations shall be inserted, namely !!!! Amendment of section 34.

> "Explanation 1—Where the arbitration agreement provides for reference to a person by name or designation, the fact that the arbitrator or the umpire so named or designated is an employee of, or is otherwise connected with, one of the parties, shall not, by itself, be deemed to be a sufficient reason for not referring the matter in accordance with the arbitration agreement. agreement.

Explanation 2—A mere application for time to file a written statement or a mere contest to an interlocutory application for injunction, appointment of Receiver or the like, shall not amount to taking any steps in the III saradid

Amendment of section 37.

20. In section 37 of the principal Act, for the words and figures "the Indian Limitation" Act, 1908, wherever occurring, the words and figures "the Exhibitation Act, 1963" shall be substituted. 2016 September and as so is

Amendment of section 38.

21. In section 38 of the principal Act, for the words "fees demanded" where they occur for the second time, the following words shall be substituted in every such case where any appointed arbitrator equipmen or

"fees determined in accession such rule, or where such rules are not The about a policible, the fees demanded in great no such and one in the ment under sub-ection (1) or to supply the vacancy under subsection (2)

Amendment section 39.

of the 1922, Initiation 39 of the principal Act, in subsection (1)  $\varphi$  for the existing clause "(iv) the following clause shall be substituted, namely c-

"(iv) under section 20, making or refusing to make a reference;".

Amendment section 44.

the Insection 8 of the principal Act, in subsection (1), in clause (5) of the 128. (In section 44 of the principal Acts after clause (a) 4 the following clause sanshall be inserted inamely. He case the color which you have all yique

(a) the lees and other charges payable to an arbitrator or an Umpire;".

**Amendment** 

In section 9 of the principal Act-.of and the First Schedule to the principal Act mand and (b)

the First Sche lind californing paragraph 2, you the words Inot later than one month from dule. the latest date of their respective appointments" the "words" within one Finding hometh: from the datest date, of their invespective appointments or within such extended time as the parties to the reference agree to and in the absenterof such agretment as the court may allow shall be substituted;

> (b) in paragraph 3, for the words "or within such extended time as parties to the reference agree to, and in the absence of such agreement, as the court may allow, shall be substituted:
>
> as the court may allow, shall be substituted:
>
> as the court may allow, shall be substituted:

on the court may allow, the words for within such extended time as the parties to the reference agree to, and in the absence of such agreement, as the court may allow" shall be substituted;

(c) in sub-vertion (3), for the words "why the agreement should not secundary sel (d) infter paragraph. 7, the following paragraph shall the inserted, shall be substituted. desia stana blands namely:-

"7-A. Where and in so far as an award dis for the payment of money, the arbitrators or the umpire may, in the award, order interest at such rate as the arbitrators or umpire may deem reasonable to be paid on the principal sum awarded, from the date of the commencement of the arbitration, as defined in sub-section (3) of section 37, to the date of award, in addition to any interest awarded on such principal sum for any period prior to such commencement, with further interest at such rate not exceeding six per cent per annum as the arbitrators or umpire may deem reasonable on such principal sum from the date of the award to the date of payment or to such earlier date as the arbitrators or umpire may think fit, but in no case beyond the date of the decree to be passed on the award."

1908

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## AMENDMENT OF THE INDIAN CONTRACT ACT, 1872

25. In section 5 of the Indian Contract Act, 1872, hereinafter in this Chapter referred to as the principal Act, at the end of the first paragraph, the tollowing explanation shall be inserted, namely many booms on the of the

Amendment of section 5 of Act 9 of 1872,

"Explanation—Where an invitation to a proposal contains a condition that any proposal made in response to such invitation shall be kept open for a specified time and a proposal is thereupon made accepting such condition, such proposal may not be revoked within such time."

Amendment of section 55.

26. In section 55 of the principal Act, in the third paragraph, for the words "unless at the time of such acceptance, he gives notice to the promiser of his intention to do so", the words "where at the time of such acceptance he has waived his right to do so" shall be substituted.

### is estion 17 of the Registration Act. 1908, hencourses

### s the principal Art.-AMENDMENT OF BENGAL, AGRA AND ASSAM CIVIL COURTS

ACT, 1887

27. For section 19 of the Bengal, Agra and Assam Civil Courts, Act, 1887, Amendment of hereinafter in this Chapter referred to as the principal Act, the following section shall be substituted, namely:

| Act 12 of 1887.

"19. (1) Save as aforesaid, and subject to the provisions of subsection (2), the jurisdiction of a Munsif extends to all like suits of or which the value does not exceed five thousand trapers. (1)

(2) The State Government may, on the recommendation of the High Court, direct by notification in the official Gazette, with respect to any Munsif named therein, that his jurisdiction shall excende to all like suits motistich value mot expeeding tenthousand suppers as may be specified in "other than contract anoisationadith the beginning, the words

The Provided that the State Goverhment thay, by notification in the official Gazette, delegate to the High Court its powers under this section?"

In section 25 of the principal Act in sub-sections (1) has simended from (c) in sub-section (3), after the heads of the control of the section (3), after the control of the control of

Amendment of section 25.

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to year the words where the distant respectively and alliest and resources. the words "two thousand rupees" and "one thousand rupees" yet all res-

(b) for the proviso, as substituted by the Uttar Pradesh Civil Lawstino Amendment Act, 1972, the following proviso shall be substituted, namely:—

and to a Provided that invielation to suits of the mature referred to in the and reprovisor to sub-section (3) bfosection "1586f, the said Act the reference in this sub-section to two thousand rupees and one thousand rupees -: We shall be construed respectively as references to five thousand rupees "(b) confer any power or create any right or relationship, or ":

(c) in clause (c), after the wells with Dower" the words "or exenting

### AMENDMENT OF THE PROVINCIAL SMALL CAUSE COURTS IN

(d) in the proviso, the words **7881**ev**TDA**e of a contract in a suit for

29. In section 15 of the Provincial Small Cause Courts Act 1887, 2110000

(a) in sub-section (2), for the words "one thousand rupees", the words 9 of 1887. "two thousand rupees" shall be substituted?

(b) in sub-section (3) and in the proviso thereto, for the words, Atwo 14.7 thousand rupees" wherever they occit? Athe words "three thousand 35. In the Hindu Adoption and Maintenance. battitude and Ilade "especial"

### CHAPTER VII (1) norther die en hoed

### AMENDMENT OF THE TRANSFER OF PROPERTY ACT, 1882

30. In section 54 of the Transfer of Property Act, 1882, hereinafter in this Amendment of Chapter referred to as the principal Act, ani chely pa**ir lo** centina face.

section 54 Act 4 of 1882.

Amendment of section 15 of Act

- (a) in the second paragraph the words "of the value of one hundred rupees and upwards" shall be omitted ; ten a harm most quote to blish
  - (b) the third and fourth paragraphs shall be omitted;

Act 1908

Act

(c) after the last paragraph, the following paragraph shall be inserted,

"Such contract can be made only by a registered instrument."

Amendment section 107.

. . .

31. In section 107 of the principal Act-

(a) for the second paragraph, the following paragraph shall be substituted, namely:-

"All other leases of immovable property may be made either by a registered instrument or, by an agreement oral or written. accompanied by delivery of possession."

(b) the third paragraph and the proviso shall be omitted.

#### CHAPTER VIII

#### AMENDMENT OF THE REGISTRATION ACT, 1908

Amendment of 32. In section 17 of the Registration Act, 1908, hereinafter in this Chapter section 17 of Act 16 of 1908. referred to as the principal Act,-

(a) in sub-section (1)

(i) in clause (b), the words of the value of one hundred rupees and upwards," shall be omitted;

(ii) in clause (e), the words "of the value of one hundred rupees and upwards," shall be omitted;

(iii) after clause (e), the following clause shall be inserted, namely:-(f) any other instrument required by any law for the time being in force, to be registered.";

(iv) the proviso shall be omitted;

(b) in sub-section (2) - -

(i) in clause (v), after the words "any document" occurring in the beginning, the words "other than contract for sale" shall be initial inserted, and the words for the value of one hundred rupees and up-'wards' shall be omitted;

easify to (ii) ethe Explanation shall be omitted;

(c) in sub-section (3), after the words "by a will" the words "and an instrument recording adoption of a child executed after the first day of - January, 1977, shall be inserted. Long Tappaper Journal

Amendment of section 18.

in made and

33. In section 18 of the principal Act, clauses (a), (b) and (cc) shall be omitted: I limb) depleted multi-one velocity to be activated as a constant of the contract of the c

Amendment of section 49.

34. In section 49 of the principal Act,-

and (a) in the first paragraph after the words for by any provision of the Transfer of Property Act, 1882" the words "or of any other law for the entime being inforce" shall be inserted; and over at make about

Act 44 o 1882.

(b) for clause (b), the following clause shall be substituted, namely:-"(b) confer any power or create any right or relationship, or";

(c) in clause (c), after the words "such power" the words "or creating such right or relationship" shall be inserted; 1111

(d) in the proviso, the words as evidence of a contract in a suit for specific performance under Chapter II of the Specific Relief Act, 1877, or" shall be omitted.

#### CHAPTER IX

#### AMENDMENT OF THE HINDU ADOPTION AND MAINTENANCE ACT, 1956

Amendment of 78 of 1956.

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35. In the Hindu Adoption and Maintenance Act, 1956, section 16 shall section 16 of Act be re-numbered as sub-section (1) thereof, and after sub-section (1) as so renumbered, the following sub-section shall be inserted, namely:-

> "(2) In case of an adoption made on or after the first day of January, 1977 no Court in Uttar Pradesh shall accept any evidence in proof of the giving and taking of the child in adoption, except a document recording an adoption, made and signed by the person giving and the person taking the child in adoption, and registered under any law for the time being in force :

Provided that secondary evidence of such document shall be admissible in the circumstances and the manner laid down in the Indian Evidence Act, 1872."

उत्तर प्रदेश, **लखनड** 

### CHAPTER X TRANSITORY PROVISIONS

36. A civil suit, or proceeding to which the Code of Civil Procedure, 1908 applies, pending on the date of commencement of this Act shall be disposed of in accordance with the provisions of the said Code as amended by this Act.

Disposal pending civil cases.

37. An application under section 20 of the Arbitration Act, 1940 pending on the date of the commencement of this Act shall be disposed of in accordance with the provisions of that section as amended by this Act.

Disposal pending applications under sec-tion 20 of Act 10 of 1940.

38. Where a period prescribed in the Arbitration Act, 1940 has been extended by virtue of any amendment made in its provisions by this Act sion of time in and the said period had not expired before the date of commencement of this Act 10 of 1940. Act, then the thing required to be done within such period may be done within the period so extended.

Effect of exten-

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Act 44 1882.