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കേരള സർക്കാർ
Government of Kerala
2017



Regn. No. KERBIL/2012/45073
dated 5-9-2012 with RNI
Reg. No. KL/TV(N), 634/2015-17

കേരള ഗസറ്റ്
KERALA GAZETTE

അസാധാരണം
EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്
PUBLISHED BY AUTHORITY

വാല്യം 6 Vol. VI	തിരുവനന്തപുരം, വെള്ളി Thiruvananthapuram, Friday	2017 ഡിസംബർ 15 15th December 2017 1193 വൃശ്ചികം 30 30th Vrischikam 1193 1939 അഗ്രഹായണം 24 24th Agrahayana 1939	നമ്പർ No. } 2744
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GOVERNMENT OF KERALA

Law (Legislation-E) Department

NOTIFICATION

No. 25297/Leg.E1/2017/Law.

15th December, 2017

Dated, Thiruvananthapuram, 30th Vrischikam, 1193

24th Agrahayana, 1939.

The following Ordinance promulgated by the Governor of Kerala on the 14th day of December, 2017 is hereby published for general information.

By order of the Governor,

B. G. HARINDRANATH,
Law Secretary.

ORDINANCE No. 30 of 2017
THE KERALA HIGH COURT (AMENDMENT)
ORDINANCE, 2017

Promulgated by the Governor of Kerala in the Sixty-eighth Year of the Republic of India.

AN

ORDINANCE

further to amend the Kerala High Court Act, 1958.

Preamble.—WHEREAS, it is expedient further to amend the Kerala High Court Act, 1958 (5 of 1959) for the purposes hereinafter appearing;

AND WHEREAS, the Legislative Assembly of the State of Kerala is not in session and the Governor of Kerala is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution of India, the Governor of Kerala is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*—(1) This Ordinance may be called the Kerala High Court (Amendment) Ordinance, 2017.

(2) It shall come into force at once.

2. *Act 5 of 1959 to be temporarily amended.*—During the period of operation of this Ordinance, the Kerala High Court Act, 1958 (5 of 1959) (hereinafter referred to as the principal Act) shall have effect subject to the amendments specified in section 3 and the provisions of section 4.

3. *Amendment of section 3.*—In clause (13) of section 3 of the principal Act,—

(i) in sub-clause (b), for the words “one lakh rupees”, the words “forty lakh rupees” shall be substituted;

(ii) after sub-clause (g), the following sub-clause shall be inserted, namely:—

“(h) from an award passed by a Motor Accidents Claims Tribunal.”.

4. *Special provision in respect of pending appeals, suits and other proceedings.*—Notwithstanding anything contained in the principal Act or any other law for the time being in force, or in any judgment, decree or order of a court, the provisions of sub-clauses (b) and (h) of clause (13) of section 3 of the principal Act as amended by this Ordinance shall apply to all suits, appeals and other proceedings and the applications for compensation under the Motor Vehicles Act, 1988 (Central Act 59 of 1988), as the case may be, instituted prior to the date of commencement of this Ordinance and are pending disposal and all appeals pending before the Division Bench of the High Court as on the said date, where the

amount or value of the subject matter of suits or other proceedings involved does not exceed forty lakh rupees, and all appeals from the awards passed by the Motor Accidents Claims Tribunals, shall be transferred to, and disposed of by the Single Judge:

Provided that the said provision shall not apply to appeals pending before the Division Bench under section 5 of the principal Act.

P. SATHASIVAM,
GOVERNOR.