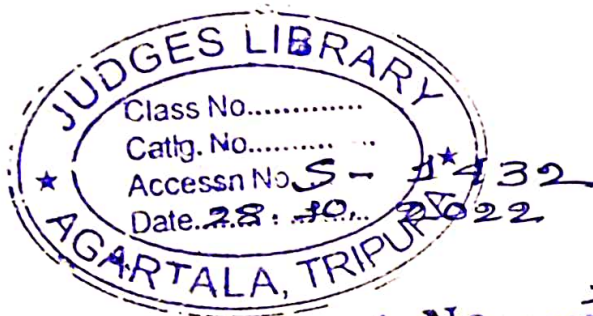


The Suits Valuation Act, 1887

[Act 7 of 1887]

along with
State Amendments
and
Case Law



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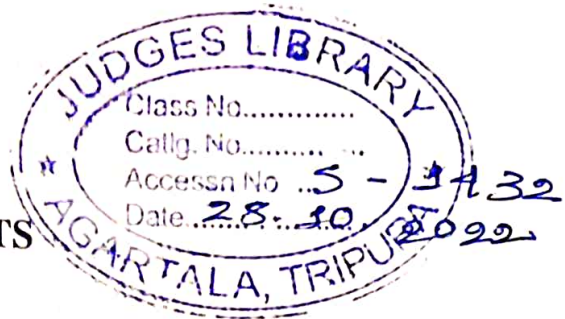
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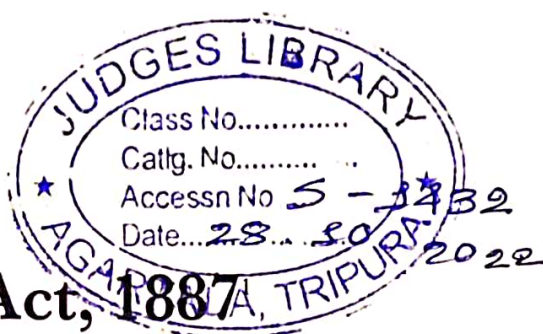
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The Suits Valuation Act, 1887

[Act 7 of 1887]

[11th February, 1887]

An Act to prescribe the mode of valuing certain suits for the purpose of determining the jurisdiction of Courts with respect thereto

Whereas it is expedient to prescribe the mode of valuing certain suits for the purpose of determining the jurisdiction of Courts with respect thereto; It is hereby enacted as follows:—

Statement of Objects and Reasons.—The principal object of this Bill is to prescribe a simple mode of valuing suits relating to land for the purpose of determining the jurisdiction of those Courts with respect to them. Most of those suits are of course cognizable exclusively by Civil Courts but some of them, as for instance, suits in the Punjab under S. 9 of the Specific Relief Act, may be tried by Revenue Courts.

It has been brought to the notice of the Government that, while the Civil Courts Acts of the several Provinces, with the exception of that in force in the Presidency of Madras prescribe no special rules for fixing the value for jurisdiction of the subject-matter of land suits, but simply define the limit of the jurisdiction of each grade of Court by the money value of the subject-matter in suit, thus leaving the market value to be the strictly legal criterion, a practice has sprung up, generally in the inferior Courts, of accepting in the absence of any express provision of law to the contrary the Court-fee valuation as laid down in S. 7, para (v) of Act 7 of 1870, for purposes of jurisdiction also.

The generally admitted result is that land suits are undervalued and dispose of by Courts not strictly competent to try them. In order to remedy this state of things the present Bill has been prepared. It empowers (S. 2) the local Government to frame rules, subject to the sanction of the Governor General in Council, for determining the value of land in the territories under its administration for purposes of jurisdiction in the suits mentioned in S. 7, paras (v) and (vi), and para (x), clause (d) of the Court Fees Act, 1870, namely, suits for possession of land, to enforce a right of pre-emption, and for specific performance of an award relating to land. These rules are to be made after consultation with the High Court; and the Bill provides (S. 7) a procedure for the publication of proposed rules, so that the Courts and the public may have an opportunity of preferring any objections which they may have to them before the rules are made. The Bill further declares (S. 3) that where a suit mentioned in para (iv) of S. 7 or Art. 17 of Sch. II of the Court Fees Act, relates to land, the amount at which for purposes of jurisdiction the relief sought in the suit is valued shall not exceed the value of the land to which the suit relates as determined by the rules under the Act.

In addition to the foregoing provisions which relate exclusively to land suits S. 4 provides that in other suits in which Court-fees are payable ad valorem, the value for purposes of jurisdiction shall be estimated in accordance with the rules which regulate the value for Court fee purposes.

Section 5 of the Bill is taken from Sections 206-208 of the North-Western Provinces Rent Act, 1881, and has been inserted at the suggestion of Sir Charles Turnels, late Chief Justice of Madras. It lays down a special procedure for cases in which the objection that a suit was not properly valued for purposes of jurisdiction is taken in an appellate Court, an objection which the Bill declares may not be entertained unless it was taken in the Court of first instance.

1. This Act has been amended in the Punjab by Punjab Acts 1 of 1938 and 13 of 1942 and in the U.P. by U.P. Act 7 of 1939. The Act has not been extended to the State of Manipur vide Act 30 of 1950, Section 3(2) and Schedule.



Lastly, the Bill (S. 6) repeals S. 14 of the Madras Civil Courts Act, 1873, which enacts the rule of valuation which it is the object of this Bill to abolish, namely, the valuation for jurisdiction in the case of land suits shall be in accordance with the Court-fee valuation prescribed by S. 7, para (v) of the Court Fees Act, 1870. In order, however, to prevent hardship or inconvenience to suitors it is provided that this repeal shall not affect any suit instituted before the rules under the proposed Act take effect.

1. Title.—This Act may be called the Suits Valuation Act, 1887 ²[and it extends to the whole of India except the territories which, immediately before the 1st November, 1956, were comprised in Part B States].

STATE AMENDMENTS

GUJARAT.—(1) In its application to the State of Gujarat, Section 1 shall be renumbered as sub-section (1) thereof.

(2) after sub-section (1), the following sub-section shall be *inserted*, namely—

“(2) This Act as in force in the Bombay area and the Kutch area of the State of Gujarat immediately before the commencement of the Suits Valuation (Gujarat Extension and Amendment) Act, 1964 (Guj. 31 of 1964), shall also extend to the Saurashtra area of the State of Gujarat.”.

(3) in the marginal note, for the word “Title” the words “Title and extent to State of Gujarat” shall be *substituted*.”. [Vide Gujarat Act 31 of 1964, S. 2 (w.e.f. 1-5-1966)]

MADHYA PRADESH.—In its application to the State of Madhya Pradesh, in Section 1 after the words “Part B States” add the words “other than the Madhya Bharat and Sironj regions of the State of Madhya Pradesh”. [Vide M.P. Act 23 of 1958]

MAHARASHTRA.—In its application to the State of Maharashtra, in Section 1, after the words and letter “comprised in Part B States” the words “other than the Hyderabad area of the State of Maharashtra” shall be *inserted*. [Vide Mah. Act 4 of 1960, S. 3]

PART I

SUITS RELATING TO LAND

2. Extent and commencement of Part I.—This Part shall extend to such local areas, and come into force therein on such dates, as the ³[State Government], by notification in the Official Gazette, directs⁴.

STATE AMENDMENTS

MAHARASHTRA.—In its application to the State of Maharashtra, for Section 2 the following shall be *substituted*, namely:—

“2. *Commencement of Sections 3 to 5.*—On the date of commencement of the Suits Valuation (Maharashtra Extension and Amendment) Act, 1960 (Mah. IV of 1960), Section 3 to 5 (both inclusive) shall cease to be in force throughout the State of Maharashtra, but the State Government may, by notification in the Official Gazette, bring the said sections into force in the whole of the State or any local area, from such date as may be specified in such notification.” [Vide Mah. Act 4 of 1960, S. 4]

PUNJAB : HARYANA : CHANDIGARH (U.T.).—The heading “suits relating to land” of Part I was *omitted*. [Vide Punjab Act 13 of 1942, S. 2]

2. Added by the Adaptation of Laws (No. 2) Order, 1956.

3. Subs. for “Government of a Part A State or a Part C State” by the Adaptation of Laws (No. 2) Order, 1956.

4. Part I of the Act has, under Section 2, been declared to extend to the Punjab, and to come into force therein on the 1-3-1889, see Gazette of India, 1889, Pt. I, p. 107.

Extended as whole in the Union Territory of Jammu and Kashmir and Union Territory of Ladakh [Vide Act 34 of 2019, Ss. 95, 96 and Sch.-V (w.e.f. 31-10-2019)].

3. Power for State Government to make rules determining value of land for jurisdictional purposes.—(1) The State Government may ⁵[* * *] make rules for determining the value of land for purposes of jurisdiction in the suits mentioned in the Court Fees Act, 1870 (7 of 1870), Section 7, paragraphs v and vi, and paragraph x, clause (d).

(2) The rules may determine the value of any class of land, or of any interest in land, in the whole or any part of a local area, and may prescribe different values for different places within the same local area.

STATE AMENDMENTS

GUJARAT.—In its application to the State of Gujarat, in Section 3, for the words, figures, brackets and letter “the Court-Fees Act, 1870, Section 7, Paragraphs v and vi, and paragraph x, clause (d)” the following shall be *substituted*, namely—

“clause (d) of Paragraph (iv), paragraphs (v), (vi) and (vii) and clause (d) of paragraph (xi), in Section 6 of the Bombay Court-fees Act, 1959”. [Vide Gujarat Act 31 of 1964, S. 3 (w.e.f. 1-5-1966)]

HIMACHAL PRADESH.—In its application to the State of Himachal Pradesh, in Section 3, for the words and figures “the Court-Fees Act, 1870”, the words and figures “Himachal Pradesh Court Fees Act, 1968” shall be *substituted*. [Vide H.P. Act 30 of 1969, S. 2]

MAHARASHTRA.—In its application to the State of Maharashtra, in Section 3, for the words, figures, brackets and letter “the Court-Fees Act, 1870, Section 7, Paragraphs v and vi, and paragraph x, clause (d)” the following shall be *substituted*, namely—

“Paragraphs (v) and (vi) clause (d) of Paragraph (xi), in Section 6 of the Bombay Court-fees Act, 1959”. (Bom. XXXVI of 1959).” [Vide Mah. Act 4 of 1960, S. 5]

UTTAR PRADESH.—In its application to the State of Uttar Pradesh—

(a) after the figure “1870” the words “as in force for the time being in the United Provinces” shall be *inserted*;

(b) for the words and figures “and VI and Paragraph X, clause (d)” the figures and letters “V-A and V-B” shall be *substituted*;

(c) for the full-stop at the end, a colon shall be *substituted* and the following shall be added as a fresh paragraph, namely—

“Provided that such rules shall provide that the value of land for the purposes of jurisdiction shall in no case be less than the value as determinable for the computation of court-fees.” [Vide U.P. Act 7 of 1939, S. 2]

4. Valuation of relief in certain suits relating to land not to exceed the value of the land.—Where a suit mentioned in the Court-fees Act, 1870 (7 of 1870), Section 7, paragraph iv, or Schedule II, Article 17, relates to land or an interest in land of which the value has been determined by rules under the last foregoing section, the amount at which for purposes of jurisdiction the relief sought in the suit is valued shall not exceed the value of the land or interest as determined by those rules.

STATE AMENDMENTS

GUJARAT.—In its application to the State of Gujarat, in Section 4, for the words, figures “the Court-Fees Act, 1870, Section 7, Paragraph (iv), or Schedule II, Article 17,” the following shall be *substituted*, namely—

5. The words “subject to the control of the G. G. in C.” repealed by the A.O. 1937.

"clause (c), (e), (g), (i) or (j) of Paragraph (iv), in Section 6 of, or Article 3, 4, 5 or 7 in Schedule I or clause (f) of Article 23 in Schedule II, to the Bombay Court-fees Act, 1959". (Bom. XXXVI of 1959)." [Vide Gujarat Act 31 of 1964, S. 4 (w.e.f. 1-5-1966)]

HIMACHAL PRADESH.—In its application to the State of Himachal Pradesh, in Section 4, for "the Court-Fees Act, 1870, Section 7, Paragraph (iv), or Schedule II, Article 17," the words and figures "Himachal Pradesh Court Fees Act, 1968, Section 7, Paragraph (iv), or Schedule II, Article 13 or 18," [Vide H.P. Act 30 of 1969, S. 3]

MAHARASHTRA.—In its application to the State of Maharashtra, in Section 4, for the words, figures "the Court Fees Act, 1870, Section 7, Paragraphs (iv), or Schedule II, Article 17," the following shall be *substituted*, namely—

"clauses (c), (d), (e), (g), (i) or (j) of Paragraph (iv) or paragraph (vii), in Section 6 or Articles 3, 4, 5 or 7 in Schedule I or clause (f) of Article 23 in Schedule II, to the Bombay Court-fees Act, 1959" (Bom. XXXVI of 1959)." [Vide Mah. Act 4 of 1960, S. 6]

PUNJAB : HARYANA : CHANDIGARH (U.T.) : DELHI.—After the word and figures "Article 17" the word and figures "or 22" were *inserted*. [Vide Punjab Act 1 of 1938, S. 3]

UTTAR PRADESH.—In its application to the State of Uttar Pradesh, for Section 4, the following shall be *substituted*, namely—

"4. *Valuation of certain suits for the purposes of jurisdiction.*—Suits mentioned in paragraphs IV(a), IV-A, IV-B, V, V-A, V-B, VI, VI-A, VIII and X(d) of Section 7 and Articles 17, 18 and 19 of Schedule II of the Court Fees Act, 1870, as in force for the time being in the Uttar Pradesh, shall be valued for the purposes of jurisdiction at the market value of the property involved in or affected by or the title to which is affected by the relief sought, or at the amount involved in or affected by or the title to which is affected by the relief sought, and such value shall, in the case of land, be deemed to be the value of determinable in accordance with the rules framed under Section 3." [Vide U.P. Act 7 of 1939, S. 3]

5. Making and enforcement of rules.—(1) The State Government shall, before making rules under Section 3, consult the High Court with respect thereto.

(2) A rule under that section shall not take effect till the expiration of one month after the rule has been published in the Official Gazette.

6. Repeal of Section 14 of the Madras Civil Courts Act, 1873.—On and from the date on which rules under Section 3 take effect in any part of the territories under the administration of the Governor of Fort Saint George in Council to which the Madras Civil Courts Act, 1873, extends, Section 14 of that Act shall be repealed as regards that part of those territories.

STATE AMENDMENTS

GUJARAT.—In its application to the State of Gujarat, Section 6 shall be *deleted*. [Vide Gujarat Act 31 of 1964, S. 5 (w.e.f. 1-5-1966)]

MAHARASHTRA.—In its application to the State of Maharashtra, Section 6 shall be *deleted*. [Vide Mah. Act 4 of 1964, S. 7]

PART II OTHER SUITS

7. Extent and commencement of Part II.—This Part ⁶[* * *] shall come into force on the first day of July, 1887.

6. The words "extends to the whole of India except Part B States, and" *Omitted* by Adaptation of Laws (No. 2) Order, 1956.

STATE AMENDMENTS

GUJARAT.—In its application to the State of Gujarat, in Section 7, the following proviso shall be *added*, namely—

“Provided that, in the Saurashtra area of the State of Gujarat, it shall come into force on the date of the coming into force of the Suits Valuation (Gujarat Extension and Amendment) Act, 1964”, [Vide Gujarat 31 of 1964, S. 6 (w.e.f. 1-5-1966)]

MADHYA PRADESH.—In its application to the State of Madhya Pradesh, Section 7 shall be *renumbered* as sub-section (1) thereof and after sub-section (1) as so renumbered the following shall be *inserted*, namely—

“(2) This part shall be in force in the Madhya Bharat and Sironj regions of the State of Madhya Pradesh from the commencement of the Madhya Pradesh Extension of Laws Act, 1958 [Vide M.P. Act 23 of 1958, S. 3]

MAHARASHTRA.—In its application to the State of Maharashtra, in Section 7, the following proviso shall be *added*, namely—

“Provided that, in the Hyderabad area of the State of Maharashtra it shall come into force on the date of commencement of the Suits Valuation (Maharashtra Extension and Amendment) Act, 1960 (Mah. 4 of 1960)”. [Vide Mah. Act 4 of 1960, S. 8]

PUNJAB : HARYANA : CHANDIGARH (U.T.).—In Part II of the heading “other suits” was *omitted*. [Vide Punjab Act 13 of 1942, S. 3]

8. Court-fee value and jurisdictional value to be the same in certain suits.—Wherein suits other than those referred to in the Court-fees Act, 1870, Section 7, paragraphs *v*, *vi* and *ix*, and paragraph *x*, clause (*d*), court-fees are payable *ad valorem* under the Court-fees Act, 1870, the value as determinable for the computation of court-fees and the value for purposes of jurisdiction shall be the same.

STATE AMENDMENTS

GUJARAT.—In its application to the State of Gujarat, in Section 8, for the words, figures, brackets and letter “the Court-Fees Act, 1870, Section 7, Paragraphs (*v*), (*vi*) and (*ix*), and paragraph (*x*), clause (*d*), court-fees are payable *ad valorem* under the Court Fees Act, 1870,” the following shall be *substituted*, namely—

“clause (*d*) of Paragraph (*iv*), paragraphs (*v*), (*vi*) and (*vii*) and (*x*) and clause (*d*) of paragraph (*xi*), in Section 6 of the Bombay Court-fees Act, 1959, court-fees are payable *ad valorem* under the Bombay Court-fees Act, 1959.”. [Vide Gujarat Act 31 of 1964, S. 7 (w.e.f. 1-5-1966)]

HIMACHAL PRADESH.—In its application to the State of Himachal Pradesh, in Section 8, for the words “the Court Fees Act, 1870”, wherever they occur *substitute* the words “Himachal Pradesh Court Fees Act, 1968” [Vide H.P. Act 30 of 1969, S. 2]

MAHARASHTRA.—In its application to the State of Maharashtra, in Section 8, for the words, figures, brackets and letter “the Court-Fees Act, 1870, Section 7, Paragraphs (*v*), (*vi*) and (*ix*), and paragraph (*x*), clause (*d*), court-fees are payable *ad valorem* under the Court-fees Act, 1870,” the following shall be *substituted*, namely—

“Paragraphs (*v*), (*vi*) and (*x*) and clause (*d*) of paragraph (*xi*), in Section 6 of the Bombay Court-fees Act, 1959 (Bom. XXXVI of 1959), court-fees are payable *ad valorem* under the Bombay Court-fees Act, 1959 (Bom. XXXVI of 1959)”. [Vide Mah. Act 4 of 1960, S. 9]

UTTAR PRADESH.—In its application to the State of Uttar Pradesh, for the words and figures “the Court Fees Act, 1870, Section 7, Paragraphs (*v*), (*vi*) and (*ix*), and paragraph (*x*), clause (*d*).”, the word and figure “Section 4” were *substituted*; and after the figures and comma “1870,” occurring for the



second time, the words “as in force for the time being in the Uttar Pradesh” were *added*. [Vide U.P. Act 7 of 1939, S. 4]

CASE LAW ▶ Market value.—Market value as to a property for purpose of Stamp Act, distinguished from suit valuation as to that property for purpose of jurisdiction and court fee in a civil suit, *Registrar, Siliguri v. Pawan Kumar Verma*, (2013) 7 SCC 537 : (2013) 3 SCC (Civ) 616.

▶ **Assessment of stamp duty.**—Registering authority is not bound by such assessment of stamp duty by court as per suit valuation. Relevant statutory scheme indicates that for purpose of registration, instrument concerned has to be valued in terms of market value at the time of execution of document. Market value for purpose of Stamp Act, 1899 is distinct from suit valuation for purpose of jurisdiction and court fee, *Registrar, Siliguri v. Pawan Kumar Verma*, (2013) 7 SCC 537 : (2013) 3 SCC (Civ) 616.

9. Determination of value of certain suits by High Court.—When the subject-matter of suits of any class, other than suits mentioned in the Court-fees Act, 1870, Section 7, paragraphs v and vi, and paragraph x, clause (d), is such that in the opinion of the High Court it does not admit of being satisfactorily valued, the High Court may, with the previous sanction of the State Government, direct that suits of that class shall, for the purposes of the Court-fees Act, 1870, and of this Act and any other enactment for the time being in force, be treated as if their subject-matter were of such value as the High Court thinks fit to specify in this behalf⁷.

STATE AMENDMENTS

GUJARAT.—(i) In its application to the State of Gujarat, in Section 9, for the words, figures, brackets and letter “the Court-Fees Act, 1870, Section 7, paragraphs (v) and (vi), and paragraph (x), clause (d),” the following shall be *substituted*, namely—

“clause (d) of Paragraph (iv), paragraphs (v), (vi) and (vii) and clause (d) of paragraph (xi), in Section 6 of the Bombay Court-fees Act, 1959.” [Vide Gujarat Act 31 of 1964, S. 8 (w.e.f. 1-5-1966)]

(ii) In its application to Gujarat, in Section 9, the words and figures “of the Court Fees Act, 1870 and” shall be *deleted*. [Vide Gujarat Act 4 of 2004, S. 50, dt. 1-5-2004].

HIMACHAL PRADESH.—In its application to the State of Himachal Pradesh, in Section 9, for the words and figures “the Court Fees Act, 1870”, wherever occurring, *substitute* the words and figures “the Himachal Pradesh Court Fees Act, 1968.” [Vide H.P. Act 30 of 1969, S. 2]

MAHARASHTRA.—In its application to the State of Maharashtra, for Section 9, the following section shall be *substituted* and deemed always to have been so:

“9. *Value of certain suits to be three hundred rupees.*—Where the subject-matter of suits other than suits mentioned in the Court Fees Act, 1870, Section 7, paragraphs (v) and (vi), paragraph (x), clause (d) or in any corresponding provision of the Court Fees Act, for the time being in force in any area in the State, is such that it does not admit of being satisfactorily valued, then such suits shall, for the purposes of this Act, and if the High Court with the previous sanction of the State Government, so directs also for the purposes of any other enactment for the time being in force specified in that behalf by the High Court, be treated as if their subject-matter is of the value of three hundred rupees; and the provisions of the last preceding section shall apply as if the court fees therein are payable and valorem under the relevant Court Fees Act”. [Vide Mah. Act 9 of 1970, S. 2]

7. For rules as to valuation of certain classes of suits under this section, *see* different local R. and O.

UTTAR PRADESH.—In its application to the State of Uttar Pradesh, for the words and figures “the Court Fees Act, 1870, Section 7, Paragraphs V and VI and Paragraph X, clause (d)”, the word and figure “Section 4 or 8” were substituted [Vide U.P. Act 7 of 1939, S. 5]

10. Repeal of Section 32 of the Punjab Courts Act, 1884 (18 of 1884).—[Repealed by the Repealing and Amending Act, 1891 (12 of 1891) Section 2 and Schedule I.]

PART III

SUPPLEMENTAL PROVISIONS

11. Procedure where objection is taken on appeal or revision that a suit or appeal was not properly valued for jurisdictional purposes.—(1) Notwithstanding anything in ⁸Section 578 of the Code of Civil Procedure (14 of 1882), an objection that by reason of the over-valuation or under-valuation of a suit or appeal a Court of first instance or lower Appellate Court which had not jurisdiction with respect to the suit or appeal exercised jurisdiction with respect thereto shall not be entertained by an Appellate Court unless—

- (a) the objection was taken in the Court of first instance at or before the hearing at which issues were first framed and recorded, or in the lower Appellate Court in the memorandum of appeal to that Court, or
- (b) the Appellate Court is satisfied, for reasons to be recorded by it in writing, that the suit or appeal was over-valued or under-valued, and that the over-valuation or under-valuation thereof has prejudicially affected the disposal of the suit or appeal on its merits.

(2) If the objection was taken in the manner mentioned in clause (a) of sub-section (1), but the Appellate Court is not satisfied as to both the matters mentioned in clause (b) of that sub-section and has before it the materials necessary for the determination of the other grounds of appeal to itself, it shall dispose of the appeal as if there had been no defect of jurisdiction in the Court of first instance or lower Appellate Court.

(3) If the objection was taken in that manner and the Appellate Court is satisfied as to both those matters and has not those materials before it, it shall proceed to deal with the appeal under the rules applicable to the Court with respect to the hearing of appeals; but if it remands the suit or appeal, or frames and refers issues for trial, or requires additional evidence to be taken, it shall direct its order to a Court competent to entertain the suit or appeal.

(4) The provisions of this section with respect to an Appellate Court shall, so far as they can be made applicable, apply to a Court exercising revisional jurisdiction under Section 622⁹ of the Code of Civil Procedure or other enactment for the time being in force.

(5) This section ¹⁰[* * *] shall come into force on the first day of July, 1887.

8. See now Section 99 of the Code of Civil Procedure, 1908 (Act 5 of 1908).

9. See now Section 115 of the Code of Civil Procedure, 1908 (Act 5 of 1908).

10. The words “extends to the whole of India except Part B States, and” Omitted by Adaptation of Laws (No. 2) Order, 1956.

STATE AMENDMENTS

GUJARAT.—In its application to the State of Gujarat, in Section 11—

- (1) in sub-section (1), for the word and figures "Section 578 of the Code of Civil Procedure" the words and figures "Section 99 of the Code of Civil Procedure, 1908" (V of 1908) shall be *substituted*;
- (2) in sub-section (4), for the word and figures "Section 622 of the Code of Civil Procedure" the words and figures "Section 115 of the Code of Civil Procedure, 1908" (V of 1908) shall be *substituted*;
- (3) in sub-section (5), the following proviso shall be *added*, namely—
"Provided that, in the Saurashtra area of the State of Gujarat, it shall come into force on the dated of the coming into force of the Suits Valuation (Gujarat Extension and Amendment) Act, 1964." [Vide Gujarat Act 31 of 1964, S. 9 (w.e.f. 1-5-1966)]

HIMACHAL PRADESH.—In its application to the State of Himachal Pradesh, in Section 11(1), the following proviso shall be *added*—

"Provided that in a suit for accounts, the value for the purposes of jurisdiction as determined by the Court at any stage of the trial shall be final and conclusive and shall not be liable to be contested in appeal or revision". [Vide H.P. Act 30 of 1969, S. 4]

MAHARASHTRA.—In its application to the State of Maharashtra, in Section 11—

- (1) in sub-section (1), for the word and figures "Section 578 of the Code of Civil Procedure" the words and figures "Section 99 of the Code of Civil Procedure, 1908" (V of 1908) shall be *substituted*;
- (2) in sub-section (4), for the words and figures "Section 622 of the Code of Civil Procedure" the words and figures "Section 115 of the Code of Civil Procedure, 1908" (V of 1908) shall be *substituted*;
- (3) in sub-section (5), the following proviso shall be *added*, namely—
"Provided that, in the Hyderabad area of the State of Maharashtra it shall come into force on the date of commencement the Suits Valuation (Maharashtra Extension and Amendment) Act, 1960 (Mah. IV of 1960)". [Vide Mah. Act 4 of 1960, S. 11]

PUNJAB : HARYANA : CHANDIGARH (U.T.).—

The heading of Part III "Supplemental Provisions" was *omitted*;

To sub-section (1), the following proviso was *added*:

"Provided that in a suit for accounts the value for purposes of jurisdiction as determined by the Court at any stage of the trial shall be final and conclusive and shall not be liable to be contested in appeal or revision". [Vide Punjab Act 13 of 1942, S. 3]

CASE LAW ► Court Fees.—In objection to place of suing at appellate or revisional stage there is need to show consequent failure of justice arising from suit having been prosecuted at erroneous place of suing, in addition to due diligence in having raised objection at the earliest, *K.P. Ranga Rao v. K.V. Venkatesham*, (2015) 13 SCC 514: (2016) 1 SCC (Civ) 748.

12. Proceedings pending at commencement of Part I or Part II.—Nothing in Part I or Part II shall be construed to affect the jurisdiction of any Court—

- (a) with respect to any suit instituted before rules under Part I applicable to the valuation of the suit take effect, or Part II has come into force, as the case may be, or
- (b) with respect to any appeal arising out of any such suit.