

SIND ACT No. XIX OF 1943.<sup>1</sup>[THE SIND AGRICULTURISTS RELIEF (AMENDMENT).  
ACT, 1943.]

[1st May, 1943]

*An Act further to amend the Sind Agriculturists Relief Act, 1940.*

Sind Act  
VIII of  
1940.

WHEREAS it is expedient further to amend the Sind Agriculturists Relief Act, 1940, for the purposes hereinafter appearing; It is hereby enacted as follows :—

1. This Act may be called the Sind Agriculturists Relief Short title.  
(Amendment) Act, 1943.

2 to 6. [Amendments of ss. 2, 3, 4, 8 and 12 of Sind VIII of 1940.] Rep. by the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance, 1955 (Sind 5 of 1955), s. 6, Sch. II.

7. (1) Section 13 of <sup>2</sup>[the Sind Agriculturists Relief Act, 1940] (hereinafter referred to as the said section) shall have effect subject to the provisions of this section.

Amendment  
of section 13,  
Sind Act  
VIII of 1940.

(2) Save as provided in section 14 of <sup>2</sup>[the Sind Agriculturists Relief Act, 1940], an application under the said section may be made at any time so long as the decree has not been wholly satisfied.

(3) If an application under the said section has been dismissed or withdrawn in a court of first instance or on revision or appeal by reason only that the application was made after the period prescribed therefor by the said section, as for the time being in force, had expired, the application shall be restored or revived :

Provided that in the event of the said application being so restored or revived the Court shall be bound by the finding of the Court by or before whom the application was dismissed or withdrawn on any issue of fact which was heard and finally determined by

<sup>1</sup> For Statement of Objects and Reasons, see S. G. G., 1943, Pt. IV, pp. 88-89 and for proceedings in Assembly, see S. L. A. Debates, 1943, Vol. XVII-Book No. 10, pp. 14-24.

<sup>2</sup> Subs. by the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance, 1955 (Sind 5 of 1955), s. 7, Sch. III, for "the said Act".

(4) Any person aggrieved by an order under the said section may, within thirty days of the date of such order, appeal against the order—

(a) where the order is passed by the High Court in its original jurisdiction or by a District Court <sup>1\*</sup> \* \* \* \*  
to the High Court in its appellate jurisdiction ;

(b) in every other case, to the District Court having jurisdiction in the local area.

(5) No second appeal shall lie against an order passed in appeal under this section.

(6) The provisions of the <sup>2\*</sup> Limitation Act, 1908, applicable to appeals, shall, so far as may be, apply to appeals under this section. IX of 1908.



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<sup>1</sup> The words " or by the Court of Small Causes, Karachi " rep. by the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance, 1955 (Sind 5 of 1955) s. 6, Sch. II.

<sup>2</sup> The word "Indian " omitted by *ibid*, s. 4 (w. e. l. 30th May, 1955).