

[TO BE INTRODUCED IN THE NATIONAL ASSEMBLY]

A.

BILL

Further to amend the Code of Civil Procedure, 1908

Whereas it is expedient further to amend the Code of Civil Procedure, 1908 for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. **Short title and commencement.**- (1) This Act may be called the Code of Civil Procedure (Amendment) Act, 2015.

(2) It shall come into force at once.

2. **Amendment of order XVII rule 1 of 1908.**- In the Code of Civil Procedure 1908, for sub-rules (1) and (2) of rule 1 of order XVII, the following shall be substituted, namely:-

"(1) **Court may grant time and adjourn hearing.**- (1) the Court may, upon the written application, in which request for adjournment is made and sufficient cause is shown, by the parties to the suit at any stage of the suit, grant time to the parties or any of them, adjourning the hearing of the suit.

(2) **Costs of adjournment.**- That even upon written application by the parties or any of them, there should be only one adjournment and that too in very exceptional circumstances and subject to payment of nominal costs and reasons be recorded by the court."

STATEMENT OF OBJECTS AND REASONS

Delay in the disposal of cases has become the main hurdle in the way of justice. There is dire need to take legislative steps by closing all doors causing delay due to day to day adjournments. It can only be possible if the court refuses to grant adjournments without written requests and have sufficient reasons and upon written requests adjournment also granted only in exceptional cases. The courts' discretion to grant adjournments, is misused by the parties and some time by the courts itself due to load of cases. It is proposed amendment that there should be only one adjournment and that too in very exceptional circumstances and subject to payment of costs and for valid reasons to be recorded by the court. If above amendment is passed it will serve a good purpose and disposal of the cases can be as early as possible.

Sd/-

Sahibzada Muhammad Yaqub
Sahibzada Tariq Ullah
Mr. Sher Akbar Khan
Ms. Aisha Syed,
Members, National Assembly