

S.I. 131 of 2022**COURTS ACT, 1964***(Cap. 52)***Magistrates' Court (Civil Procedure) (Amendment) Rules, 2022**

In exercise of the powers conferred by section 44 of the Courts Act, 1964, the Chief Justice hereby makes the following rules —

Citation

1. These rules may be cited as the Magistrates' Court (Civil Procedure) (Amendment) Rules, 2022.

Amendment of rule 12

2. Rule 12 of the Magistrates' Court (Civil Procedure) Rules, 1968 is amended by inserting after the number 35, the number "36".

Insertion of new rule 15A

3. The Magistrates' Court (Civil Procedure) Rules, 1968 is amended by inserting immediately after rule 15 the following as rule 15A.

"Service out of the Jurisdiction

15A. The provisions of section 47 to 56 of the Code shall apply to service of summons out of the jurisdiction".

Insertion of new rule 40A and 40B

4. The Magistrates' Court (Civil Procedure) Rules, 1968 is amended by inserting immediately after rule 40 the following as rule 40A and 40B.

"Impounding documents

40A. The Court may, if it sees sufficient cause, direct any document or book produced before it in any cause or matter to be

impounded and kept in the custody of an officer of the court for such period and subject to such conditions as the court thinks fit”.

“Return of documents produced in evidence

40A. In a cause in which an appeal is not allowed, when the cause has been disposed of, and in a cause in which an appeal is allowed, when the time for preferring an appeal has lapsed, or, if an appeal has been preferred, then after the appeal has been disposed of, any person whether a party to the cause or not, desirous of receiving back any document produced by him in evidence, shall, unless the document is impounded under the preceding rule, be entitled to receive back same:

Provided that no document shall be returned which by force of judgment has become void or useless.

Insertion of new rule 82A

5. The Magistrates’ Court (Civil Procedure) Rules, 1968 is amended by inserting immediately after rule 82 the following as rule 82A.

“Affidavits

82A. The provisions of section 168 to 170 of the Code shall apply to affidavit evidence”.

MADE this 21st day of December, 2022.

**RONY GOVINDEN
CHIEF JUSTICE**
