

## WEST PAKISTAN RELIEF OF INDEBTEDNESS RULES, 1961

[Gazette of West Pakistan, Part I, 24th May 1961]

No. L&F-II-17/50-56.--- In exercise of the powers conferred by section 13 of the West Pakistan relief of Indebtedness Ordinance, 1960 (XV of 1960), and in supersession of the Punjab Relief of Indebtedness (Deposit in Court) Rules, 1935, the Governor of West Pakistan is pleased to make the following rules, a draft whereof was published in the Gazette of West Pakistan Extraordinary, dated the 29th November 1960, under, the Revenue and Rehabilitation Department Notification No. L&F-17/50-56 dated the 25th November 1960:---

1. *Short Title and Commencement.*--- (1) These rules may be called the West Pakistan Relief of Indebtedness Rules, 1961.

(2) They shall come into force at once.

2. *Definitions.* --- In these rules, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them, that is to say---

(a) "Ordinance" means the West Pakistan Relief of Indebtedness Ordinance, 1960 (XV of 1960).

(b) "Section" means the respective section of the Ordinance.

3. *Deposit in Court.*--- When the amount of deposit to be made in Court under section 4 is less than one thousand rupees, it may be deposited in the Civil Court having original jurisdiction over the area where the debtor resides:

Provided that where there is more than one Civil Court exercising original jurisdiction over such area, the deposit shall be made in the Court exercising the highest pecuniary jurisdiction in such area.

(2) Sums of one thousand rupees or over shall be deposited only in the Court of Senior Civil Judge or Sub-Judge, 1st Class, as the case may be, of the district in which the debtor resides, and where in a district there is no Senior Civil Judge or Sub-Judge, 1st Class, the depositor shall be made in the principal Civil Court exercising original jurisdiction in the district.

4. *Manner of Deposits in Courts.*--- Deposits in Courts may be made either by postal money order or by the debtor in person.

5. *Keeping of accounts in Courts and payment to creditors.*--- All sums deposited in Court under these rules shall be accounted for and dealt with according to the ordinary rules for the time being in force in the Courts in which they are paid. Payments to creditors under sub-section (2) of section 4 shall also be made in accordance with such rules.

6. *Notice to creditors under section 4.*--- (1) Notice under subsection (2) of section 4 shall be served upon the creditor by registered post, acknowledgement due, at his last known address at the expense of the debtor.

(2) In case service is not possible in the manner provided in sub-rule (1), the creditor may be served at his expense by a proclamation made in the village or locality where he is known to have last resided.

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