

## NATIONAL ASSEMBLY SECRETARIAT

### REPORT OF THE STANDING COMMITTEE ON LAW AND JUSTICE ON THE CODE OF CIVIL PROCEDURE (AMENDMENT) BILL, 2015

I, the Chairman of the Standing Committee on Law and Justice, have the honor to present this report on the Bill further to amend the Code of Civil Procedure, 1908 (Act V of 1908) [the Code of Civil Procedure (Amendment) Bill, 2015] referred to the Committee on the 24<sup>th</sup> November, 2015.

2. The Committee comprised the following: -

i)	Chaudhry Mahmood Bashir Virk	Chairman
ii)	Justice (Retd.) Iftikhar Ahmad Cheema	Member
iii)	Chaudhary Muhammad Ashraf	Member
iv)	Mr. Mohsin Shah Nawaz Ranjha	Member
v)	Mr. Muhammad Moeen Wattoo	Member
vi)	Mr. Muhammad Raza Hayat Harraj	Member
vii)	Sardar Muhammad Amjad Farooq Khan Khosa	Member
viii)	Ms. Kiran Haider	Member
ix)	Syed Ayaz Ali Shah Sherazi	Member
x)	Mr. Mumtaz Ahmed Tarar	Member
xi)	Ms. Asiya Naz Tanoli	Member
xii)	Mr. Rajab Ali Khan Baloch	Member
xiii)	Syed Naveed Qamar	Member
xiv)	Mr. Muhammad Ayaz Soomro	Member
xv)	Ms. Shagufta Jumani	Member
xvi)	Eng. Ali Muhammad Khan Advocate	Member
xvii)	Dr. Arif Alvi	Member
xviii)	Mr. S.A Iqbal Quadri	Member
xix)	Moulana Muhammad Khan Sherani	Member
xx)	Ms. Aisha	Member
xxi)	Mr. Zahid Hamid	Ex-officio Member

*Minister for Law and Justice*

3. The Committee in its meetings held on the 1<sup>st</sup> March and 30<sup>th</sup> August, 2016 discussed the contents of the said Bill in detail and decided not to pursue it. Therefore, the Committee recommends that the Bill may not be considered for Legislation. The Bill as introduced in the National Assembly is at Annex-A.

Sd/-  
( CHAUDHRY MAHMOOD BASHIR VIRK )  
Chairman

Sd/-  
( ABDUL JABBAR ALI )  
Secretary  
*Islamabad the 2<sup>nd</sup> November, 2016*

[ AS INTRODUCED IN THE NATIONAL ASSEMBLY ]

A

**BILL**

further to amend the Code of Civil Procedure, 1908 (Act V of 1908)

WHEREAS it is expedient and necessary to amend the Code of Civil Procedure, 1908, to eliminate obstacles for decree-holders in the pursuit of Justice and simplify the proceedings pertaining to execution of decrees for their expeditious satisfaction.

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.

(3) It shall extend to the whole of Pakistan.

**2. Amendment of section 33, Act V of 1908.**- In the Code of Civil Procedure, 1908 (Act V of 1908), hereinafter referred to as the said Act, in section 33, the following new proviso shall be inserted, namely:-

“Provided that the case shall not be deemed disposed of till the satisfaction of the decree, which shall be done by the Court executing the decree at earliest possible opportunity or within six months after it is applied for execution.”

**STATEMENT OF OBJECTS AND REASONS**

The legal maxim that “Justice delayed is justice denied” quietly fits upon the procedures of execution of decrees in the present era, because the decree-holders even after obtaining the decrees in their favour become tired till the satisfaction of the decrees, therefore this amendment is proposed to eliminate the hurdles existing in the way of Court executing the decree by empowering it more through this amendment.

By amending section 33, the Court executing a decree has been bound to satisfy the decree as soon as possible or alternatively within six months after it has been applied for execution.

This Bill seeks the above said objects.

Sd/-

**Mr. Sher Akbar Khan**  
Member, National Assembly.