

Civil Procedure Code (Amendment)

Act No 6 of 1993

AN ACT TO AMEND THE CIVIL PROCEDURE CODE

BE it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows :

Short title. **1.** This Act may be cited as the Civil Procedure Code (Amendment) Act, No. 6 of 1993

Amendment of section 55 of Chapter 101. **2.** Section 55 of the Civil Procedure Code (hereinafter referred to as the 'principal enactment') is hereby amended in subsection (1) thereof, by the substitution, for all the words from " to the Fiscal of the court or " to " actual service thereof has been entrusted. " of the following:

"to the Fiscal of the court or to a Fiscal of a court of like jurisdiction within the local limits of whose jurisdiction the defendant resides or to the Grama Niladhari within whose division the defendant resides, who shall cause the same to be duly served on the defendant, or on each defendant, if more than one, and shall as hereinafter provided, return the same and the execution thereof to the court, duly verified, in the case of a summons delivered to a Fiscal, by the officer to whom the actual service thereof has been entrusted, or in the case of a summons delivered to a Grama Niladhari, by such Grama Niladhari. "

Amendment of section 60 of the principal enactment. **3.** Section 60 of the principal enactment is hereby amended by the substitution, for the words " the Fiscal " wherever that word occurs in that section, of the words " the Fiscal or the Grama Niladhari, as the case may be, ".

Amendment of section 370 of the principal enactment. **4.** Section 370 of the principal enactment is hereby amended by the substitution, for the words "-Fiscal or Deputy Fiscal ", wherever those words occur in that section, of the words " Fiscal or Deputy Fiscal or Grama Niladhari, as the case may be, ".

Amendment of section 371 of the principal enactment. **5.** Section 371 of the principal enactment is hereby amended as follows :

(1) by the substitution, for the words " The report of the Fiscal or Deputy Fiscal", of the words " The report of the Fiscal or Deputy Fiscal or Grama Niladhari, as the case may be, " ;

(2) by the substitution, for the words " each initialled and dated by the Fiscal.", of the words " each initialled and dated by the Fiscal or Deputy Fiscal or Grama Niladhari, as the case may be.".

Amendment of the First Schedule to the principal enactment. **6.** The First Schedule to the principal enactment is hereby amended by the repeal of Form No. 17 thereof, and the substitution therefor, of the following new Form: [Sections 55 and 364] "No. 17 FORM OF PRECEPT TO FISCAL OR GRAMA NILADHARI TO SERVE SUMMONS (Title) To the Fiscal/Grama Niladhari of the Court/Division of Serve forthwith the summons in the above-named action, which, with duplicates, is herewith transmitted to you, upon each of the persons to whom it is directed, and leave with or tender to each such person a duplicate summons and one of the copies of (or concise statements presented with) the plaint, which accompany the summons. And certify to this court on or before the day of 19 , in what manner you have executed this precept, returning the summons attached to your certificate as an exhibit. By order of court, (Signed) , Registrar. The day of ., 19.

Sinhala text to prevail in case of inconsistency. **7.** In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.