



KHYBER PAKHTUNKHWA

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PROVINCIAL ASSEMBLY SECRETARIAT KHYBER PAKHTUNKHWA

NOTIFICATION

Dated Peshawar, the 18th February, 2025.

No.PA/Khyber Pakhtunkhwa/Bills-47/2025/3819.— The West Pakistan Civil Courts (Amendment) Bill, 2025 having been passed by the Provincial Assembly of Khyber Pakhtunkhwa on 4th February, 2025 and assented to by the Governor of the Khyber Pakhtunkhwa on 14th February, 2025 is hereby published as an Act of the Provincial Legislature of the Khyber Pakhtunkhwa.

THE WEST PAKISTAN CIVIL COURTS (AMENDMENT) ACT, 2025. (KHYBER PAKHTUNKHWA ACT NO. VIII OF 2025)

(First published after having received the assent of the Governor of the Khyber Pakhtunkhwa in the Gazette of the Khyber Pakhtunkhwa. (Extraordinary), dated the 18th February, 2025).

AN
ACT

further to amend the West Pakistan Civil Courts Ordinance, 1962.

WHEREAS it is expedient further to amend the West Pakistan Civil Courts Ordinance, 1962 (W.P. Ordinance No. II of 1962), for the purposes hereinafter appearing;

It is hereby enacted by the Provincial Assembly of Khyber Pakhtunkhwa as follows:

1. Short title and commencement.---(1) This Act shall be called the West Pakistan Civil Courts (Amendment) Act, 2025.

(2) It shall come into force at once.

2. Substitution of section 7 of the W.P. Ordinance No. II of 1962.---In the West Pakistan Civil Courts Ordinance 1962 (W.P. Ordinance No. II of 1962), hereinafter referred to as the said Ordinance, for section 7, the following shall be substituted, namely:

“7. Original jurisdiction of District Judges in suits.”---(1) Except as otherwise provided in any other enactment for the time being in force, the limit of pecuniary jurisdiction of a court of District Judge in original civil suits shall be the same as provided in section 6 of the Code of Civil Procedure, 1908 (Act No. V of 1908).”.

3. Substitution of section 9 of the W.P. Ordinance No. II of 1962.---In the said Ordinance, for section 9, the following shall be substituted, namely:

“9. Pecuniary limits of jurisdiction of Civil Judges.”---The limit of pecuniary jurisdiction of a Civil Judge in original civil suits shall be the same as provided in section 6 of the Code of Civil Procedure, 1908 (Act No. V of 1908).”.

4. Insertion of new section 12A in the W.P. Ordinance No. II of 1962.--- In the said Ordinance, after section 12, the following new section shall be inserted, namely:

“12A. Power to transfer cases to Special Courts or Tribunals.”---(1) Notwithstanding anything contained in any other law for the time being in force, the High Court, under intimation to Government, may, if considers it expedient so to do in the interest of justice, transfer any case-

- (a) from a court of District Judge or Additional District Judge to a Special Court or Tribunal; or
- (b) from one Special Court or Tribunal to another Special Court or Tribunal.

(2) Upon transfer of a case under sub-section (1), any connected case or cases shall also stand transferred.

(3) A Special Court or Tribunal to which the case is transferred under sub-section (1), shall be deemed to be the court or Special Court or Tribunal, as the case may be, in which the case was originally instituted and shall have all the powers and jurisdiction of such court.

(4) A Special Court or Tribunal to which the case is transferred under sub-section (1), shall proceed with the case from the stage at which it was pending immediately before such transfer and it shall not be bound to recall and to rehear any witness who has given evidence and may act on the evidence already recorded.

Explanation: In this section the words “District Judge”, “Additional District Judge”, “Special Court” and “Tribunal”, shall have the same meaning as have assigned to them respectively by this Ordinance, the Code of Civil Procedure, 1908 or any special law for the time being in force.”.

5. **Substitution of section 17 of the W.P. Ordinance No. II of 1962.**—In the said Ordinance, for section 17, the following shall be substituted, namely:

“17. Appeals from District Judges and Additional District Judges.—Save as otherwise expressly provided by any other enactment for the time being in force, an appeal from a decree or order of a District Judge or Additional District Judge, exercising original jurisdiction, shall lie to the High Court in accordance with the provisions of the Code of Civil Procedure, 1908 (Act No. V of 1908).”

6. **Amendment of section 18 of the W.P. Ordinance No. II of 1962.**—In the said Ordinance, in section 18,—

(a) for sub-section (1), the following shall be substituted, namely:

“(1) An appeal from a decree or order of a Civil Judge shall lie to the District Judge in accordance with the provisions of the Code of Civil Procedure, 1908 (Act No. V of 1908).”; and

(b) sub-section (1A), shall be deleted.

7. **Substitution of section 24 of the W.P. Ordinance No. II of 1962.**—In the said Ordinance, for section 24, the following shall be substituted, namely:

“24. Pecuniary jurisdiction of Civil Courts in cases against Government etc.—The pecuniary limit of jurisdiction of Civil Courts in any suit against the Government, shall be the same as provided in section 6 of the Code of Civil Procedure, 1908 (Act No. V of 1908).”

BY ORDER OF MR. SPEAKER
PROVINCIAL ASSEMBLY OF KHYBER
PAKHTUNKHWA

(KIFAYAT ULLAH KHAN AFRIDI)
Secretary
Provincial Assembly of Khyber Pakhtunkhwa

