

Litigation Rules 1966

In exercise of the powers conferred upon it by Art 43 of the scheme for the management and disposal of properties attached to charitable, religious or educational trust or institutions, the Evacuee Trust Property Board has formulated the following Rules for the disposal of legal cases:-

1.

1. These rules may be called the Evacuee Trust Property Board Litigation Rules, 1966.
2. They shall come into force at once.

2.

Where the Chairman of the Board, after taking into consideration the facts of a case and after obtaining such legal advice as may be considered necessary, is of the opinion that a suit, petition, applications or other legal proceedings should be instituted, made or taken or defended he shall take steps accordingly and, if necessary, engage a counsel provided that the counsel to be engaged is selected from a panel of lawyers maintained on the recommendations of each District & Sessions Judge/Advocate General for suits pertaining to the District concerned and that cases are entrusted to the lawyers on the panel by rotation.

3.

The board has prescribed the following fees to be paid to the counsels for pleading, acting and appearing for the Evacuee Trust Property Board cases subject to the exceptions mentioned in Rule 4.

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- For petitions under section 4(3) of the Displaced Persons (Compensation and Rehabilitation) Act No.XXVIII of 1958 and under Section 5(2) of the Displaced Persons (Land Settlement) Act No.XLVII of 1958..... Rs.175/- for the whole case.
- Regular appeals and appeals in the High Court under Section 4(4) of the Displaced Persons (Compensation and Rehabilitation) Act No.XXVIII of 1958 and under Section 5(3) of the Displaced Persons (Land Settlement) Act No.XLVII of 1958..... Rs.250/-
- Declaratory suits in any civil court, irrespective of the rule of the property involved
..... Rs.150/-

- Ejectment suits or execution proceedings in any Civil Court or other authority
..... Rs.100/-
- Appeal of review application in the court of District Judge Rs. 156/-
- The lawyers fees for the recovery of specific property or a share of the specific property, whether immovable or moveable or for damages or for the breach of any contract, in any Civil Court, will be calculate, as follows on the jurisdiction value of the suit as determined for the purposes of jurisdiction by the Rules made by the High Court under Section 9 of the Suits Valuation Act, 1887, as disclosed in the plaint.