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GOVERNMENT OF WEST BENGAL  
LEGISLATIVE DEPARTMENT

West Bengal Act VI of 1964

THE CALCUTTA THIKA TENANCY (AMENDMENT)  
ACT, 1964.

[Passed by the West Bengal Legislature.]

[Assent of the President was first published in the *Calcutta Gazette*,  
*Extraordinary*, of the 7th April, 1964.]

[7th April, 1964.]

An Act to amend the Calcutta Thika Tenancy Act, 1949.

West Ben.  
Act II of  
1949.

WHEREAS it is expedient to amend the Calcutta Thika Tenancy Act, 1949, for the purpose and in the manner hereinafter appearing;

It is hereby enacted in the Fifteenth Year of the Republic of India, by the Legislature of West Bengal, as follows:—

1. This Act may be called the Calcutta Thika Tenancy (Amendment) Act, 1964. Short title.

2. In Chapter IV of the Calcutta Thika Tenancy Act, 1949, before section 27, the following section shall be inserted, namely:— Insertion of new section 28A in West Ben. Act II of 1949.

“Power of District Judge and Chief Judge, Court of Small Causes of Calcutta to withdraw and transfer proceeding.”

28A. (1) On the application of any of the parties and after notice to the parties and after hearing such of them as desire to be heard, or of his own motion without such notice, the District Judge in the case of a proceeding pending before a Controller appointed for any area within the district, or the Chief Judge of the Court of Small Causes of Calcutta in the case of a proceeding pending before a Controller appointed for any area within the Presidency town of Calcutta, may at any stage withdraw such proceeding and transfer it for hearing or disposal to a Controller appointed for any other area within the district or within the Presidency town of Calcutta, as the case may be, or retransfer it for hearing or disposal to the Controller from whom it was withdrawn.

(2) The Controller to whom any proceeding has been transferred under sub-section (1) shall have the same power to hear or dispose of it as the Controller from whom it was withdrawn and may, subject to any special directions in the order of transfer, either rehear it or proceed from the point at which it was withdrawn and transferred.

*Explanation.*—In this section “proceeding” includes any proceeding arising out of an application made to the Controller under the provisions of this Act.”

Price—Indian, 12 Paisa; English 3d.

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