

Act XV of 1919

[The Calcutta High Court (Jurisdictional Limits) Act, 1919.]¹

[17th, September. 1919.]

An Act to declare and prescribe the limits of the ordinary original civil jurisdiction of the High Court of Judicature at Fort William in Bengal.

WHEREAS clause 11 of the Leliers Patent for [the High Court of Judicature at Fort William in Bengal, dated the 28th December, 1865, provides that the said High Court shall have and exercise ordinary original civil jurisdiction within such local limits as may from time to time be declared and prescribed by any law made by competent legislative authority for India;

AND WHEREAS it is expedient so to declare and prescribe (the local limits of the ordinary original civil jurisdiction of the said High Court;

It is hereby enacted as follows :

1. This Act may be called the Calcutta High Court (Jurisdictional Limits) Act, 1919.

2. The ordinary original civil jurisdiction of the High Court of Judicature at Fort William in Bengal shall be exercised within the limits set out in the schedule :

Provided that nothing in this Act shall affect any suit or other legal proceeding pending in any Court at the date of the commencement of this Act.

THE SCHEDULE.

(See section 2.)

1. The limits within which the ordinary original civil jurisdiction of the High Court shall be exercised are as follows :

North. A line commencing on the western side of the river Hooghly at a point where the straight line joining reference pillar No. I (in a compound on the river side of the Ghusri Cotton Mill, Howrah) and reference pillar No. II (near the south-western end of Chitpur Toll Bridge) meets the western water-line of the river Hooghly, and the line along the said line to the point where it meets the eastern water-line of the river Hooghly near the south bank of the opening of Circular Canal; (hence along the water-line of the south bank of Circular Canal passing under the Chitpur Toll Bridge, the Chitpur or Baghbazar Bridge to boundary pillar A on the eastern side of the southern pile of Barrackpore Bridge.

East. A line commencing from the said boundary pillar A following the eastern edge of the bridge to a point near the southeastern corner of the immediate approach to the bridge marked

Short title.

Limits of
ordinary
original civil
jurisdiction.

¹LEGISLATIVE For the Statement of Objects and Reasons, see the *Gazette of India*, Pt. V, page 74, and the Proceedings in Council, *etc.*, *ibid.*, 1919, Pt. VI, pages 876 and 877 and pages 1101 and 1102.

{*The Schedule.*}

by reference pillar III, which is on the boundary; thence by a straight line to boundary pillar B on the south-eastern corner of the junction of Cornwallis Street and Galif Street (now marked with a Public Works Department stone); thence along the eastern side and the eastern side of the eastern pavement of Cornwallis Street in a series of regular links joining marked by posts 1-3 to boundary pillar C at the north corner of the junction Shambazar Street with Cornwallis Street; thence by a straight line to boundary pillar D on the solid south corner of the said junction; thence in approximately straight line along the solid eastern side of Upper Circular Road marked by posts 4-9; thence eastward following the corner round to boundary pillar E on the north corner of the junction of the unnamed road (which runs into Jadu Nath Mitra Lane) with Upper Circular Road; and thence by a straight line to boundary pillar F at the solid south corner of the junction of Jadu Nath Mitra Lane with Upper Circular Road; thence by posts 10-13 to boundary pillar G on the solid south corner of the junction of Ultadingi Road with Upper Circular Road; thence along the solid south side of Ultadingi Road in a series of continuous and approximately straight lines joining points marked by posts 14-16 to boundary pillar H at the solid western corner of the junction of Ultadingi Road and Gauribere Lane; thence by the solid western side of Gauribere Lane marked by posts 17-21; thence by a straight line crossing the road diagonally to boundary pillar L at the solid south-eastern corner of the junction of Gauribere Lane and Ultadingi Junction Lane; thence along the solid eastern side of Ultadingi Junction Lane marked by posts 22-24 to boundary pillar I on the solid western corner of the junction of Ultadingi Junction Lane with Halsibagan Road; thence by a straight line to post 25 at the solid western corner of the said junction; thence along the solid north side of Halsibagan Road marked by post 26 to boundary pillar K on the north side of Halsibagan Road directly opposite the solid eastern side of Upper Circular Road south of it; thence by a straight line to post 27 at the solid south corner of the junction of Halsibagan Road with Upper Circular Road; thence by the solid eastern side of Upper Circular Road marked by posts 28-34 to post 35; thence turning east to boundary pillar L on the north side of Maniktola Road; thence by a straight line to post 36 at the south corner of the junction of Maniktola Road with Upper Circular Road at the north-western corner of the garden of Kali Padabarik; thence along the eastern side of the lane on the eastern side of the raised platform road and marked by posts 37-49 to boundary pillar M at the solid north corner of the junction of Gas Street and Upper Circular Road; thence by a straight line to boundary pillar N at the solid south corner of the said junction; thence keeping again to the eastern side of the lane on the eastern side of the raised platform road along a line marked by posts 50-61 excluding the recently made Ladies' Park to boundary pillar O near the north pillar of the north entrance to North Station, Scaldah; thence line to boundary pillar at

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the south corner of the entrance; thence by the comparatively straight lines from pillar to pillar connecting boundary pillars P, Q, R, S and T adjacent to the pillars forming the corners of the various approaches to Scalfah Station; thence along the solid eastern side of Lower Circular Road marked by posts 62-64 to pillar 65; thence turning west to boundary pillar U at the north-western corner of the outpatients' department of the¹ Campbell Hospital; thence by a straight line marked by posts 66-68 to boundary pillar V on the corner of the platform to the right of the north entrance to the Calcutta Corporation Central Stores; thence by post 69 turning east to post 70; thence by posts 71-76, boundary pillars W and X at the solid corners of the southern junction of Police Hospital Road with Lower Circular Road; thence by posts 77-80 to boundary pillars Y and Z on the solid corners of the junction of Beniapur Lane with Lower Circular Road, by posts 81-86 to boundary pillars A, and-B., at the solid corners of the junction of Nonapur or Bijli Road and Lower Circular Road, posts 87,88 to boundary pillar C., near the south-western corner of the Circular Road burial ground; thence by a straight line to boundary pillar D., on the other side of the tramway lines; thence post 89 eastward to post 90; thence to boundary pillars, E and F, at the solid corners of the junction of Karaya Bazar Road and Lower Circular Road, post 91, 92 to boundary pillar G., opposite to Theatre Road, posts 93,94 to boundary pillar H., a few feet south of the point directly opposite, the junction of Auckland Place and Lower Circular Road, and following the curve of the road by posts 95 and 96 to reference pillar IV (which is on the boundary) on the eastern side of the junction of Beck Bagan Lane with Lower Circular Road.

South-A line commencing from the said reference pillar IV in a straight line to boundary pillar I₁, on the western corner of the junction of Beck Bagan Lane with Lower Circular Road; thence along the solid south side of Lower Circular Road to boundary pillar J₁ and K₁ at the solid corners of the junction of Ballyganj Circular Road and Lower Circular Road; thence by the solid south side of Lower Circular Road marked by posts 97,98, boundary pillars, L, M, at the solid corners of the junction of Lansdowne Road with Lower Circular Road, post 99 southward to post 100 westward to post 101, northward to post 102 and westward to post 103, boundary pillars N, and O₁ at the solid corners of the junction of Woodburn Road with Lower Circular Road, posts 104, 105, boundary pillars P₁ and Q₁, at the solid corner of the junction of Lee Road with Lower Circular Road; thence by the straight line links but broken boundary line formed by posts 106-113 to boundary pillar R₁ on the south eastern corner of the junction of Chowringhee with Lower Circular Road; thence by an oblique straight line to boundary pillar S on the south-western corner of the said junction (near a stone marked F.W. B.-26);

¹Now known as Nil ratin Sarcar Medical College.

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Thence by a line representing the present limits of the holdings on the south of Circular Road and marked by posts 114-116, boundary pillars T_j, and (J, at the solid corners of the junction of Haris Chandra Mukherji Road and Lower Circular Road, posts J17-121; thence to boundary pillar V₁, near the north corner of the junction of Bhowanipore Road and Lower Circular Road; thence following the curve of the corner and the eastern side of Bhowanipore Road and the surplus lands attached thereto by a series of straight line links joining points marked by posts 122-124, boundary pillars W_j, and X₁, at the Junction of Shambhunath Pandit Street and Bhowanipore Road, posts 125-128 turning eastward to boundary pillar Y, on the north side of Sonkaripara Road, posts 129,130 to boundary pillars Z₁ and A, across the entrance of Ketrappali Road into Bhowanipore Road; thence by posts 131, 132 to boundary pillar B, on the north-eastern side of Alipore Bridge; thence along a straight line joining the said boundary pillar B, with subsidiary reference pillar VII on the south-eastern side of the said bridge to a point where that straight line meets the water-line of Tolly's Nala; thence along the water-line of Tolly's Nala to the north-eastern corner of the District Magistrate's compound near which is boundary pillar C₃; thence along the irregular northern boundary of the Magistrate's compound marked by posts 133-141 to boundary pillar D₂ at the south corner of the entrance to the Civil Surgeon's house from Thackray Road; thence southward along the western boundary of the Magistrate's compound by posts 142-145 and along the southern boundary of that compound marked by posts 147, 148 to boundary pillar E, on the bank of Tolly's Nala; thence continuing the straight line from post 148 to boundary pillar E; till it meets the water-line of Tolly's Nala; (thence along the water-line of Tolly's Nala to a point in a direct line with the north side of the masonry drain running outside the Jail Garden near which is boundary pillar F; thence along north side of the said drain in a straight line across Motce Jheel to post 149 against the boundary of the compound of the Magistrate's Court; thence northward along that boundary to post 150 and westward to post 151 and northward again along the boundary of the Army Clothing Agency to post 152; thence westward on the south side of the lane to boundary pillar G, at the north-western corner of the Police Hospital compound; thence along the wall of the Alipore Central Jail facing Belvedere Road and marked by pillars 153-] 57 to the northwestern corner of the junction of Belvedere Road and Jail Lane following the corner eastward to post 158 and continuing along the south side of Jail Lane to post 159; thence by a straight line to boundary pillar H₂ at the acute corner of the junction of Reformatory Street with Jail Lane; thence to boundary pillar I, on the north-western side of Alipore Bridge; thence to boundary pillar J₂ on the north-eastern side of the said bridge;

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thence by the solid south-western and western side of Bhowanipore Road marked by posts 160-167; thence following the western corner of the junction of Bhowanipore Road and Lower Circular Road to boundary pillar K.; thence along the solid south side of Lower Circular Road following the sweep of the railings and marked by posts 168-172 to boundary pillar L, on Lower Circular Road and easel's junction with Belvedere Road; thence following the natural bends of the corner marked by posts 173 and 174 to boundary pillar M, on the eastern side of Belvedere Road; thence along the eastern side of Belvedere Road now indicated by wooden railings and marked by post 175 to boundary pillar on the north-eastern side of Zeerat Bridge; thence along the railings of the footpath on the eastern side of the bridge to boundary pillar O, near its south-eastern end; thence along a bent line following the shape of the bridge and marked by posts 176, 177 to post 178 on the eastern side of the south extremity of the immediate approach to the bridge; thence by a straight line to boundary pillar P on the western side of the said extremity; thence turning north along the railings of the footpath on the western side of the bridge, till it meets the water-line underneath the bridge; thence along the water-line of the south or Alipore bank of Tolly's Nala trending northwards under Hastings Bridge, to a point where a straight line joining reference pillar V (near the south-western end of Hastings Bridge), to reference pillar VI (on the Howrah side of the river in the line with the northern wall of the Bengal-Nagpur Railway Goods Yard) meets the water-line of the south bank of the bend of the Hooghly River, near the western side of the opening of Tolly's Nala; thence continuing the said straight line till that said straight line meets the water-line of the Howrah side of the river Hooghly.

West. A line commencing from the point last defined along the water-line of the Howrah side of the River Hooghly to the western extremity of the northern boundary.

2. (a) When the expression "water-line" is used in this schedule all *pucca ghats* and other objects permanently attached to the bank and in contact with the water shall be deemed to appertain to the area to which the land on that bank appertains, and the water in contact with such objects shall be deemed to appertain to the other side of the boundary. In the places in the Schedule where the boundary is thus described the boundary line shall be the moving edge of the water, wherever it may be at any time. In the case of bridges, however, the supporting pile in contact with the bank only shall be deemed to be permanently attached to the bank and the boundary line across the bridge to be immediately above the water-line so described.

(ib) The expression "solid side" or "solid corner" means the line or spot marked out by solid objects, such as a *pucca* wall or the face of a house, the wayside lands and pavements thus being all included in the adjacent road, street or lane.

¹ Now South Eastern Railway.