



**PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA**

CIVIL PROCEDURE CODE (AMENDMENT)

A

BILL

to amend the Civil Procedure Code (Chapter 101)

Presented by the Minister of Justice on 22nd of November, 2021

(Published in the Gazette on October 07, 2021)

Ordered by Parliament to be printed

[Bill No. 95]

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STATEMENT OF LEGAL EFFECT

Clause 2 : This clause amends section 88 of the Civil Procedure Code (Chapter 101) and the legal effect of the section as amended is to provide for an appeal to the Provincial High Court with leave obtained first in case of an order setting aside or refusing to set aside the judgment entered upon default.

Civil Procedure Code (Amendment)

L.D.—O. 29/2021

AN ACT TO AMEND THE CIVIL PROCEDURE CODE (CHAPTER 101)

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

1. This Act may be cited as the Civil Procedure Code (Amendment) Act, No. of 2021. Short title

5 2. Section 88 of the Civil Procedure Code (Chapter 101) is hereby amended by the repeal of subsection (2) of that section, and the substitution of the following subsection therefor:- Amendment of section 88 of Chapter 101

10 “(2) The order setting aside or refusing to set aside the judgment entered upon default shall accompany the facts upon which it is adjudicated and specify the grounds upon which it is made, and shall be liable to an appeal to the relevant High Court established by Article 154P of the Constitution, with leave first had and obtained from such High Court.”. 15

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

