

ACT XLVIII OF 2016  
**CODE OF CIVIL PROCEDURE (AMENDMENT)**  
**ACT, 2016**

*An Act further to amend the Code of Civil Procedure, 1908  
in its application to Islamabad Capital Territory*

[Gazette of Pakistan Extraordinary, Part I,  
1st December, 2016]

**No. F. 9(39)/2016-Legis, dated 1.12.2016.**---The following Act of Majlis-e-Shoora (Parliament) received the assent of the President on 29th November, 2016 and is hereby published for general information:-

WHEREAS it is expedient further to amend the Code of Civil Procedure, 1908 (Act V of 1908), in its application to Islamabad Capital Territory, for the purposes hereinafter appearing;

It is hereby enacted as follows:-

**1. Short title, extent and commencement.**---(1) This Act may be called the Code of Civil Procedure (Amendment) Act, 2016.

(2) It shall apply to Islamabad Capital Territory.

(3) It shall come into force at once.

**2. Amendment of section 91, Act V of 1908.**---In the Code of Civil Procedure, 1908 (Act V of 1908), hereinafter referred to as the said Code, in section 91, in subsection (1), for the words having obtained the consent in writing of the Advocate General the words with the leave of the Court shall be substituted.

**3. Amendment of section 92, Act V of 1908.**---In the said Code, in section 92,--

(a) in subsection (1), for the words consent in writing of the Advocate General the words leave of the Court shall be substituted; and

(b) in subsection (2), the words, commas, figures and brackets Save as provided by the Religious Endowment Act 1863 (XX of 1863) , shall be omitted and for the word no the word No shall be substituted.

**4. Amendment of section 104, Act V of 1908.**---In the said Code in section 104, after clause (ff), the following new clause shall be inserted, namely:-

(fff) an order under section 91 or section 92 refusing leave to institute a suit; .

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**1. Short title, extent and commencement.**---(1) This Act may be called the Code of Civil Procedure (Amendment) Act, 2016.

(2) It shall apply to Islamabad Capital Territory.

(3) It shall come into force at once.

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**2. Amendment of section 91, Act V of 1908.**---In the Code of Civil Procedure, 1908 (Act V of 1908), hereinafter referred to as the said Code, in section 91, in subsection (1), for the words having obtained the consent in writing of the Advocate General the words with the leave of the Court shall be substituted.

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WHEREAS it is expedient further to amend the Code of Civil Procedure, 1908 (Act V of 1908), in its application to Islamabad Capital Territory, for the purposes hereinafter appearing; It is hereby enacted as follows:-

**3. Amendment of section 92, Act V of 1908.**---In the said Code, in section 92,--

(a) in subsection (1), for the words consent in writing of the Advocate General the words leave of the Court shall be substituted; and

(b) in subsection (2), the words, commas, figures and brackets Save as provided by the Religious Endowment Act 1863 (XX of 1863) , shall be omitted and for the word no the word No shall be substituted.

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**4. Amendment of section 104, Act V of 1908.**---In the said Code in section 104, after clause (ff), the following new clause shall be inserted, namely:-

(fff) an order under section 91 or section 92 refusing leave to institute a suit; .