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REPORT ON THE ADMINISTRATION
OF
CRIMINAL AND CIVIL JUSTICE
IN THE PROVINCE OF SIND
1939.

Price: 4 as. or 5 d.

L (iv) 1307

15250

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No. A./1679.

Chief Court of Sind.

Karachi, 7th August 1940.

From

THE HONOURABLE MR. GODFREY DAVIS,
CHIEF JUDGE OF THE CHIEF COURT.

To

THE CHIEF SECRETARY
TO THE GOVERNMENT OF SIND,
HOME DEPARTMENT.

Sir,

I have the honour to forward the accompanying Report on the Administration of Criminal and Civil Justice in the Province of Sind for the year 1939.

The Judicial Statements accompany the Report.

I have the honour to be,
Sir,
Your most obedient servant,

GODFREY DAVIS,
Chief Judge.

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Report on the Administration of Criminal and Civil
Justice in the Province of Sind
for the year 1939.

1. *Preliminary remarks.*—The area of the territories to which the statements relate is 46,506 square miles, and the population 3,884,277 according to the census of 1931.

2. *Judicial staff.*—(a) The Court of the Judicial Commissioner of Sind was presided over by the Honourable Mr. Godfrey Davis, Barrister-at-Law, I. C. S., from 1st January 1939 to 1st June 1939 and from 2nd October to 31st December 1939 and by the Honourable Mr. Charles M. Lobo, LL.B., from 1st July to 1st October 1939.

The following were the Honourable Judges of the Court of the Judicial Commissioner of Sind :—

- (1) The Honourable Mr. Charles, M. Lobo, LL.B., from 1st January to 28th February 1939, from 20th March to 30th June 1939 and from 2nd October to 23rd December 1939.
- (2) The Honourable Mr. E. Weston, I. C. S., from 1st January to 31st December 1939.
- (3) The Honourable Mr. Hatim B. Tyabji, Barrister-at-Law, from 7th January to 15th December 1939.
- (4) The Honourable Mr. D. N. O'Sullivan, Barrister-at-Law, from 1st July to 1st October 1939.

(b) There were, on 31st December 1939 :—

3 District Judges.

5 Assistant Judges.

3 Small Cause Court Judges (including the Registrar, Karachi Small Causes Court, Karachi).

4 First Class Subordinate Judges.

2 Second Class Subordinate Judges, including 4 Mukhtars who are also Joint Subordinate Judges.

5 Additional Sessions Judges.

9 District Magistrates, including the City Magistrate, Karachi, who is also Additional District Magistrate, Karachi.

177 Stipendiary Magistrates, including 1 President; Juvenile Court, Karachi, and 1 Principal Officer, Mercantile Marine Department and First Class Magistrate, Keamari.

4 Lady First Class Honorary Magistrates attached to the Juvenile Court, Karachi.

3. *Inspection.*—No annual tour for the inspection of the Courts in Sind was made in the cold weather of 1939-40 by the Honourable the Judicial Commissioner of Sind as he did not wish to be absent from his Court at headquarters during these abnormal times while no Judge could be spared for deputation as one required leave and another was for a time away due to illness. Advantage however was taken of the presence of the Honourable Mr. Justice Weston at Sukkur on the Court of Inquiry into Sukkur riots to make an inspection of the Courts of the Special Magistrates.

The District Judge, Hyderabad, inspected the Subordinate Courts of Shahdadpur and Nawabshah; the District Judge, Sukkur, inspected the First Class Subordinate Courts of Sukkur and Shikarpur and the Subordinate Civil Court of Rohri and the Assistant Judge, Sukkur, inspected the Subordinate Civil Court of Jacobabad; and the District Judge, Larkana, inspected the Subordinate Civil Court of Sehwan, while the Assistant Judge, Larkana, inspected the Subordinate Civil Court of Mehar.

4. *Vacation.*—The Judicial Commissioner's Court was closed for the annual vacation from 1st June to 30th June 1939.

CRIMINAL JUSTICE.

5. *Offences reported.*—The number of offences reported in Sind, during the year under review, was 56,005 and shows a decrease of 2,194 compared with the figures of the preceding year.

There was an increase in the number of offences reported in the Hyderabad, Thar Parkar, Sukkur and Dadu Districts while there was a decrease in the City of Karachi and in the Karachi, Nawabshah, Upper Sind Frontier and Larkana Districts. Of the total number of offences reported in Sind, 16,167 were under the Indian Penal Code and 39,838 under Special and Local Laws.

There was an increase in the number of offences reported under the following heads :—

- (1) Contempts of the lawful authority of public servants.
- (2) False evidence and offences against public justice.
- (3) Relating to coin.
- (4) Relating to Government stamps.
- (5) Relating to weights and measures.
- (6) Relating to religion.
- (7) Affecting life.
- (8) Wrongful restraint and wrongful confinement.
- (9) Kidnapping, forcible abduction, slavery and forced labour.
- (10) Rape.
- (11) Theft ordinary.
- (12) Cattle theft.
- (13) Extortion.
- (14) Robbery and dacoity.
- (15) Criminal misappropriation.
- (16) Receiving stolen property.
- (17) Mischief.
- (18) Criminal trespass.
- (19) Defamation.

There was a decrease in the number of offences reported under the following heads :—

- (1) Against the public tranquillity.
- (2) By or relating to public servants.
- (3) Affecting the public health, safety, convenience, decency and morals.
- (4) Causing miscarriage, injuries to unborn children, exposure of infants and the concealment of births.
- (5) Hurt.
- (6) Criminal force and assault.
- (7) Unnatural offence.
- (8) Criminal breach of trust.
- (9) Cheating.
- (10) Fraudulent deeds and disposition of property.
- (11) Relating to documents and to trade and property marks.

- (12) Criminal breach of contracts of service.
 (13) Relating to marriage.
 (14) Criminal intimidation, insult and annoyance.
 (15) Offences under Special and Local Laws.

6. *Complaints dismissed and complainants fined.*—The number of complaints dismissed in Sind, under section 203, Criminal Procedure Code, was 1,065 and the number of complainants fined under section 250 of the Criminal Procedure Code, was 151.

7. *Cases found to be true.*—Of the total number of cases under inquiry in Sind 54,798 were found to be true. The number of cases brought to trial in Sind excluding those withdrawn and including those pending from the previous year was 56,434. The number of cases found to be true and the number of cases brought to trial show a decrease of 1,956 and 1,684, respectively, on the figures of 1938.

Cases tried in the Courts of Magistrates, Stipendiary and Honorary, in the City of Karachi.

8. *Cases tried.*—The number of cases brought to trial during the year in the Courts of Magistrates in the City of Karachi was 27,801. This number shows a decrease of 1,912 on the figures of the previous year. The number of cases under Special and Local Laws was 26,081 or 1,804 less than in 1938, and the number of cases under the Indian Penal Code was 1,720 or 108 less than in 1938.

9. *Disposals.*—During the year 25,050 regular and 49 miscellaneous cases were disposed of and 2,751 regular cases were pending at the close of the year.

10. *Results of trials.*—The number of persons under trial before the Courts of Magistrates in the City of Karachi and the results of trials are shown in Appendix A.

Of the persons tried for offences under the Indian Penal Code, 669 were convicted and 1,709 were acquitted or discharged.

11. *Punishments.*—Of the persons convicted, 290 were punished with imprisonment, 21,240 with fine and 110 with whipping. 39 convicted persons were released after admonition, 7 persons were sent to a Certified School and 8 were sent to the Borstal Institution at Dharwar.

The fines imposed aggregated to Rs. 58,679-3-6. The total amount realized was Rs. 58,689-12-0 of which Rs. 2,003 were paid as compensation to complainants.

Cases tried in the Courts of Magistrates, in the Karachi, Hyderabad, Nawabshah, Thar Parkar, Sukkur, Upper Sind Frontier, Larkana and Dadu Districts.

12. *Cases tried.*—The number of cases brought to trial during the year in the Courts of Magistrates in the Karachi, Hyderabad, Nawabshah, Thar Parkar, Sukkur, Upper Sind Frontier, Larkana and Dadu Districts was as under :—

District.	Number of cases.	Under the Indian Penal Code.	Under Special and Local Laws.
Karachi	29,296	2,699	26,597
Hyderabad	8,128	2,414	5,714
Nawabshah	2,654	1,846	808
Thar Parkar	1,792	1,185	607
Sukkur	7,161	3,083	4,078
Upper Sind Frontier	1,702	1,131	571
Larkana	2,202	1,601	601
Dadu	2,988	1,887	1,101
Total	55,923	15,846	40,077

13. *Disposals.*—During the year, 47,032 regular and 456 miscellaneous cases were disposed of as under and 8,891 regular cases were pending at the close of the year :—

District.	Disposed of.		Pending.
	Regular.	Miscellaneous.	Regular.
Karachi	26,176	63	3,120
Hyderabad	6,219	63	1,909
Nawabshah	2,249	....	405
Thar Parkar	1,370	32	422
Sukkur	5,414	251	1,747
Upper Sind Frontier	1,383	2	319
Larkana	1,898	45	304
Dadu	2,323	....	665
Total	47,032	456	8,891

14. *Results of trials.*—The number of persons under trial before the Courts of Magistrates in the Karachi, Hyderabad, Nawabshah, Thar Parkar, Sukkur, Upper Sind Frontier, Larkana and Dadu Districts, the number of persons acquitted or discharged, the number of persons convicted, the number committed to the Sessions Court of the District, the number transferred to other Districts and the number that remained for trial at the close of the year is shown in Appendix B.

15. *Punishments.*—Of the persons convicted by the Courts of Magistrates in the Karachi, Hyderabad, Nawabshah, Thar Parkar, Sukkur, Upper Sind Frontier, Larkana and Dadu Districts, the number punished with imprisonment, with fine, with whipping, released after admonition or on probation under section 562, Criminal Procedure Code, and the number sent to the Borstal Institute at Dharwar and to a Certified School is shown below :—

District.	Imprisonment.	Fine.	Whipping.	Admonition.	Probation of good conduct under section 562, Cr. P. Code.	Borstal Institute.	Certified School.
Karachi ..	552	21,550	111	49	....	8	7
Hyderabad ..	496	4,711	19	5	10	....	....
Nawabshah ..	822	905	10	18	27	....	....
Thar Parkar ..	412	591	6	3	....	2	1
Sukkur ..	652	3,175	14	11	33	....	....
Upper Sind Frontier ..	376	532	4	4	18	....	....
Larkana ..	651	330	8	....	16	....	....
Dadu ..	350	1,384	....	12	11	....	....
Total ..	4,311	33,178	172	102	135	10	8

The fines imposed by Magistrates in the Karachi, Hyderabad, Nawabshah, Thar Parkar, Sukkur, Upper Sind Frontier, Larkana and Dadu Districts aggregated to Rs. 2,31,942-9-6. The total amount realized was Rs. 1,46,785-15-2 of which Rs. 6,916-4-9 were paid as compensation to complainants.

Cases tried in the Courts of Session at Karachi, Hyderabad, Sukkur and Larkana.

16. *Cases tried, disposed of and results of trials.*—The work done by the various Courts of Session for the last three years is shown in Appendix C.

The number of cases tried, disposed of, the number of persons convicted in the Courts of Session at Karachi, Hyderabad, Sukkur and Larkana, during the year under review, is shown in Appendix D.

17. *Punishments.*—The following sentences and orders were passed by the Courts of Session :—

Courts.	Number of persons.					
	Death.	Transportation or Penal servitude.	Imprisonment.	Fine.	Whipping.	Security.
Court of the Judicial Commissioner of Sind (Sessions Court Jurisdiction), Karachi..	1	..	18	1	..	..
Court of Session, Hyderabad ..	8	43	224	4	..	2
Court of Session, Sukkur ..	9	8	84	..	..	1
Court of Session, Larkana ..	4	8	143	6	..	1

Fines to the amount of Rs. 14,157 were imposed by the Courts of Session during the year. The total realization during the year amounted to Rs. 2,616 which sum includes fines due in previous years and the total amount of fines paid as compensation was Rs. 65.

18. The number of offences affecting life and attempts at such offences rose from 538 to 642 in the year under report. A large part of this crime specially in the Hyderabad, Thar Parkar, Sukkur and Upper Sind Frontier Districts arose from intrigues or supposed intrigues with women. The following statement shows the cases of murder and their motives during the year under report :—

District.	From motives connected with women.	For gain.	Other causes.
Karachi ..	13	1	9
Hyderabad ..	25	....	17
Nawabshah ..	15	....	39
Thar Parkar ..	20	....	12
Sukkur ..	31	18	38
Upper Sind Frontier ..	26	3	9
Larkana ..	19	8	6
Dadu ..	12	4	3
Total ..	161	34	133

In the Upper Sind Frontier District 38 cases of murder and culpable homicide not amounting to murder were tried under the Sind Frontier Regulation, 1892. Out of these in 26 cases the motive was connected with women.

Appeals decided by the Courts of Magistrates.

19. *Appeals decided and results of appeals.*—The number of persons whose appeals were decided by Courts of Magistrates was 221. Of these, the appeals of 88 were summarily dismissed, and sentences of 34 were confirmed after admission, making a total of 122 wholly unsuccessful appellants or 55.2 per cent. Of the remainder, 17 (or 7.7 per cent.) obtained a modification of sentences passed on them and 58 (or 26.2 per cent.) an annulment. The cases of 24 appellants were otherwise disposed of. As compared with 1938 the results were less favourable to the appellants.

Appeals decided by Courts of Session including the Court of the Judicial Commissioner of Sind (Sessions Court Jurisdiction).

20. *Appeals decided and results of appeals.*—The number of appeals decided during the year was 1,533 as against 1,507 in the preceding year showing an increase of 26.

During the year the number of persons whose appeals were decided by Courts of Session was 1,882. The appeals of 823 persons (or 43.7 per cent.) were summarily dismissed; 419 appellants whose appeals were admitted were wholly unsuccessful, 181 obtained an alteration of sentence, 434 were acquitted and the cases of 25 appellants were otherwise disposed of. If admitted appeals only are considered, the results were on the whole less favourable to the appellants than in the previous year, the percentage of successful appellants during the year being 58.1 as against 60.3 in 1938.

Appeals decided by the Court of the Judicial Commissioner of Sind (High Court Jurisdiction).

21. *Appeals decided.*—55 appeals were pending before the Court of the Judicial Commissioner of Sind (High Court Jurisdiction) at the beginning of the year from sentences or orders of Criminal Courts. During the year 243 appeals were preferred and 249 decided, leaving 49 pending at its close. The number of appeals preferred and decided during the year are less by 25 and 3, respectively, than those of the preceding year and the number of appeals pending at the close of the year is less by 6 than that of the preceding year. All these appeals were preferred against the sentences passed by the Courts of Session (including the Court of the Judicial Commissioner of Sind, Sessions Court Jurisdiction).

22. *Results of appeals.*—246 appeals against the sentences passed by Courts of Session (including the Court of the Judicial Commissioner of Sind, Sessions Court Jurisdiction), were decided. The sentences were upheld in 214 cases, reversed in 14 and modified in 14 cases. In 2 cases sentence of transportation for life was enhanced to that of capital sentence and retrial was ordered in the remaining 2 cases. 3 appeals by the Provincial Government against the orders of acquittal involving 6 accused persons were disposed of during the year. In 1 appeal involving 3 accused persons the order of the Sessions Court was set aside and the convictions and sentence passed by the Lower Court were restored. The High Court dismissed the remaining 2 appeals involving 3 accused persons, 1 of which was dismissed summarily and the other was admitted to regular hearing and then dismissed.

Reference and Revision.

23. *Magistrates' Courts.*—The cases of 100 accused persons, who applied for revision or against whom applications were made by complainants came before the District Magistrates for revision. The number was more by 56 than in 1938. The applications of 78 applicants were rejected and those of 22 were otherwise disposed of.

24. *Sessions Courts.*—Including the cases of accused persons who themselves applied for revision of the orders passed on them by the Courts of Magistrates, and of those against whom applications were made by complainants, the cases of 638 persons were decided on revision by the Courts of Session (including the Court of the Judicial Commissioner of Sind, Sessions Court Jurisdiction) during the year. The number was less by 309 than in 1938. Applications of 415 persons were rejected and those of 223 were otherwise disposed of.

25. *Court of the Judicial Commissioner of Sind (High Court Jurisdiction). Reference.*—During the year 1939, 53 cases under section 438, Criminal Procedure Code, were reported for orders of the Court of the Judicial Commissioner of Sind (High Court Jurisdiction) by the Sessions Judges and District Magistrates and 1 reference was made by the Superintendent of the District Prison, Karachi, under rule 536 of the Bombay Jail Manual. 6 cases were reported by the Bench of this Court *suo motu*. 7 were pending at the commencement of the year. Of these 50 cases were decided during the year and 17 remained pending at its close. The number reported was more by 2 than those reported in 1938. Out of the 54 cases reported, sentences were enhanced in 4 cases, reduced or altered in

4 cases and reversed in 3 cases. In 3 cases proceedings were quashed and 3 cases were ordered to be filed without any interference. In 1 case the reference was accepted and accused was sent to the Borstal School. In 3 cases retrial was ordered. 13 cases were not accepted and returned. 5 cases were otherwise disposed of and 15 cases remained pending at the close of the year. Out of the 6 cases reported by the Bench of this Court *suo motu*, sentences were enhanced in 3 cases (including 2 cases in which the sentence of transportation for life was enhanced to that of death). In 1 case the sentence in appeal was confirmed and the reference was dismissed. The remaining 2 cases were pending at the close of the year.

Orders were passed under sections 435 and 439 of the Code of Criminal Procedure in 168 cases, a decrease of 34 cases on the previous year. Of these 163 cases came before the Court of the Judicial Commissioner of Sind (High Court Jurisdiction) and 5 were reported by the Provincial Government. Of 163 cases for issue of rule, 92 were rejected and 1 was allowed to be withdrawn. Of the 70 cases in which the rules were issued, 37 were made absolute in their entirety and in 6 the orders complained of were modified, and in 7 the proceedings were quashed. In 4 the orders were reversed, 7 were returned to the Lower Courts to proceed with the same according to law and in 2 retrial was ordered. The remaining 7 cases were otherwise disposed of. As regards the remaining 5 cases reported by the Provincial Government the sentences were not interfered with in 2 cases, were enhanced in 2 cases and in 1 case the proceedings were quashed.

26. *Court of the Judicial Commissioner of Sind (High Court Jurisdiction). References under section 374, Code of Criminal Procedure.*—16 references under this section were submitted to the Court of the Judicial Commissioner of Sind (High Court Jurisdiction) during the year for confirmation of death sentences and 5 were pending at the commencement. 15 cases involving 18 accused were decided during the year. The sentence of death was confirmed in the case of 13 persons and commuted to that of transportation for life in the case of 3 and the remaining 2 accused were acquitted. 6 cases consisting of 7 persons were pending at the close of the year.

27. *Court of the Judicial Commissioner of Sind (High Court Jurisdiction). Applications for transfer.*—104 applications under section 526 of the Code of Criminal Procedure for transfer of cases from one Court or District to another were received during the year and 9 were pending at the commencement of the year. Of these 104 were decided during the year and 9 remained pending at its close. 57 were summarily rejected and 5 were allowed to be withdrawn. In the remaining 42 applications in which rules were issued, transfers were granted in 14 and refused in 28.

28. *Court of the Judicial Commissioner of Sind (High Court Jurisdiction) Miscellaneous applications.*—9 applications for bail were disposed of by the Court of the Judicial Commissioner of Sind (High Court Jurisdiction) during the year.

The Criminal work disposed of by the Court of the Judicial Commissioner of Sind (High Court Jurisdiction) in the year under report as compared with that of 1938 and the arrears at the end of the year are shown in Appendix E.

CIVIL JUSTICE.

1.—Courts of Subordinate Judges (who are invested with the Jurisdiction of a Court of Small Causes).

29. *Original suits instituted.*—The number of suits instituted in 1939 was 15,626, a decrease of 1,068 compared with the figures of the previous year. The decrease occurred in money suits to the extent of 6.2 per cent. while it was 8.1 per cent. in title and other suits. The number of money suits was 13,753 as against 14,655 in 1938, and that of title and other suits 1,873 as against 2,039 in 1938.

The total value of suits instituted in 1939 amounted to Rs. 53,29,793-2-3½ there being a decrease of Rs. 16,15,163-9-7½ in the total of 1938.

30. *Local distribution.*—The number of suits instituted in 1939 showed an increase in the Judicial District of Larkana and a decrease in the Judicial Districts of Hyderabad and Sukkur.

31. *Number of suits disposed of.*—In addition to 15,626 suits instituted during the year, and 6,524 suits pending from the previous year, 407 were revived or received on remand or by transfer and 163 were otherwise received making a total of 22,720 for disposal. The number of suits disposed of during the year was 17,487, an increase of 1,195 over the figure of the previous year. The number of suits decided under the ordinary procedure was 9,501 and under the Small Cause Court procedure was 7,986.

32. *Results of suits decided.*—Out of the suits disposed of during the year, 3,769 (or 21.6 per cent.) were disposed of without trial, 3,486 (or 19.9 per cent.) were disposed of *ex parte*, 428 (or 2.4 per cent.) on admission of claim, 5,994 (or 34.3 per cent.) by compromise, 2,143 (or 12.3 per cent.) after full trial, 1,424 (or 8.1 per cent.) on reference to arbitration, 243 (or 1.4 per cent.) by transfer. Of the 2,143 suits decided after full trial, 1,764 (or 82.3 per cent.) resulted in favour of the plaintiffs and 379 (or 17.7 per cent.) in favour of the defendants.

33. *Pending suits.*—The number of suits pending at the close of the year was 5,233 as against 6,524 in the previous year.

Of the pending cases, 586 had been pending more than a year ; this shows a decrease of 160 compared with the figure of the previous year. Of the suits pending over a year, 150 were in the Courts of Subordinate Judges in the Hyderabad District, 311 in the Courts of Subordinate Judges in the Sukkur District and 125 in the Courts of Subordinate Judges in the Larkana District.

34. The average duration in days of suits decided in the Courts of Subordinate Judges is as shown in the tabular statement given below :—

Courts.	Average duration of suits decided.						By transfer.
	Without trial.	<i>Ex parte.</i>	On admission of claim.	By compromise.	After full trial.	On reference to arbitration.	
Courts of Subordinate Judges—							
(a) By Ordinary procedure ..	136	128	200	175	294	197	273
(b) By Small Cause Court procedure..	84	114	76	50	101	141	99

35. *Execution proceedings.*—There were 4,648 applications for execution pending from the previous year and 16,667 new applications were filed during the year. Out of the total number of applications before the Courts, 17,357 were disposed of during the year and 3,958 remained pending at its close.

The disposal of the applications were as under :—

Cases disposed of by transfer	103
Cases disposed of wherein realization was complete	1,666
Cases disposed of wherein realization was partial	1,293 and
Cases disposed of as wholly infructuous	14,295
Total..	17,357

The total amount realized in the Courts of Subordinate Judges was Rs. 5,62,527-4-8.

Debtors were imprisoned in 8 cases, moveable property sold in 98 and immoveable property in 138.

36. *Miscellaneous cases.*—The number of institutions and disposals of miscellaneous cases fell from 596 to 538 and from 616 to 608, respectively. The number of miscellaneous cases pending at the close of the year fell from 322 to 272. Of the 608 miscellaneous cases disposed of, 184 were disposed of without trial, 58 were disposed of *ex parte*, 175 on admission of claim, 25 by compromise, 158 after full trial, 2 on reference to arbitration and 6 by transfer. Of the 158 cases decided after full trial, 97 (or 61.4 per cent.) resulted in favour of the plaintiffs.

37. The average duration in days of miscellaneous cases decided in the Courts of Subordinate Judges is as shown in the tabular statement given below :—

Courts.	Average duration of cases decided.						By transfer.
	Without trial.	<i>Ex parte.</i>	On admission of claim.	By compromise.	After full trial.	On reference to arbitration.	
Courts of Subordinate Judges—							
(a) By Ordinary procedure ..	217	101	82	231	338	160	199
(b) By Small Cause Court procedure..	114	..	165	195	116	..	99

38. *Insolvency petitions.*—The number of petitions pending at the end of the year 1938 was 86 and the number instituted during the year 1939 was 45 making a total of 131 for disposal in 1939. Of these 77 were decided and 54 remained pending at the close of the year. There were 32 petitions pending over one year at the close of the year. Of the petitions decided, 39 were decided *ex parte*, the average duration being 405 days, and 38 were decided after full trial, the average duration being 463 days. The number of insolvents discharged was 28 as against 58 in 1938.

II.—Karachi Small Causes Court.

39. The figures of suits instituted, disposed of and pending at the close of the year 1939, in the Karachi Small Causes Court were 7,269, 7,473 and 1,974, respectively.

The figures of suits instituted and of suits pending at the close of the year, show a decrease of 506 and 108, respectively, when compared with the figures of the previous year while the figures of suits disposed of show an increase of 23 over the figures of the previous year.

There was an increase in the institutions of suits not exceeding Rs. 10 and exceeding Rs. 500 but not exceeding Rs. 1,000 in value; while there was a decrease in institutions of suits exceeding Rs. 10 but not exceeding Rs. 50; exceeding Rs. 50 but not exceeding Rs. 100; exceeding Rs. 100 but not exceeding Rs. 500; exceeding Rs. 1,000 but not exceeding Rs. 2,000 in value. The total value of litigation was Rs. 10,96,335-0-7 as against Rs. 14,12,888-2-7 in the preceding year.

40. *Mode of disposal.*—Of the 7,473 suits disposed of, 283 were decided without trial, 3,531 were decided *ex parte*, 1,949 on admission of claim, 558 by compromise, 1,031 after full trial and 121 on reference to arbitration.

41. The average duration in days of suits disposed of without trial was 50, of those decided *ex parte*, 55, of those decided on admission of claim 51, of those decided by compromise 117, of those decided after full trial 135 and of those decided on reference to arbitration 130.

42. *Execution of decrees.*—Of the 6,442 applications for execution of decrees that were before the Court during the year (including 1,155 pending from the previous year), 5,525 were disposed of and 917 were pending at the close of the year. Of those pending at the close of the year, 507 were more than three months old. Of the applications disposed of, 1,762 resulted in whole or partial satisfaction of the decrees granted, 3,763 were returned as wholly infructuous.

43. *Coercive process.*—In order to enforce the execution of decrees, imprisonment was ordered in 76 cases and sale of moveables in 148. The number of cases of imprisonment show a decrease of 19 while the number of cases in which moveable property was sold show an increase of 4 over the figures of the previous year.

III.—District Courts including the Court of the Judicial Commissioner of Sind (District Court Jurisdiction).

44. *Original suits for disposal.*—The number of suits pending in the District Courts at the end of the year 1938 was 526 and the number instituted during the year 1939 was 321. The number of suits revived was 4. The number of suits for disposal in 1939 thus was 851 as against 910 in 1938.

45. *Original suits disposed of.*—The number of suits decided was 405 and the number left undisposed of at the end of the year was 446. This number is less by 80 than the corresponding number at the end of the previous year. Of the suits left undisposed of at the end

of the year 1939, 224 were ready for trial and in arrears, a decrease of 44 suits compared with the figure of the previous year. There were 218 suits whose hearing had been pending for over one year. This is an increase of 36 suits on the figure of the previous year.

46. The average duration of suits disposed of during the year under report was as shown in the table given below:—

No. of suits disposed of.	Manner of disposal.	Average duration in days.
102	Without trial	408
45	<i>Ex parte</i>	235
5	On admission of claim	77
96	Compromised	359
80	After full trial	572
24	Otherwise disposed of	453

The number of 446 suits left undisposed of at the end of the year 1939 is made up of the suits filed in the following years:—

1 suit for the year 1934.. (This suit was disposed of *ex parte* in August 1935 and was restored to the file in October 1939 and has been disposed of in July 1940).

2 suits of the year 1935.. (One suit has been disposed of in February 1940 and the other is fixed for Commissioner's report on 12th September 1940).

11 suits of the year 1936.

45 suits of the year 1937.

150 suits of the year 1938.

227 suits of the year 1939.

— Total.

446

47. *Insolvency petitions.*—The number of petitions pending at the end of the year 1938 was 8 and the number instituted during the year 1939 was 40 making a total of 48 for disposal in 1939. Of these 40 were decided and 8 remained pending at the close of the year 1939. 1 petition was pending over one year at the close of the year.

Of the petitions decided, 23 were decided *ex parte*, the average duration being 1 day, and 6 were decided after full trial, the average duration being 129 days. 9 were withdrawn, the average duration being 281 days. 2 were not contested, the average duration being 49 days. The number of insolvents discharged was 82 as against 70 in 1938. The orders of adjudication in respect of 16 debtors were annulled in the Judicial Commissioner's Court. The number of undischarged insolvents in the said Court was 111.

48. *Petitions for Probate and Letters of Administration, etc.*—During the year 1939, 98 petitions for Probate and Letters of Administration, 30 Pauper petitions for leave to sue or to defend *forma pauperis*, 14 petitions under the Indian Companies Act, 8 petitions under the Indian Trusts Act, 172 petitions under the Guardians and Wards Act, 30 petitions under the Land Acquisition Act and 5 petitions under the Lunacy Act were filed for disposal.

49. *Awards under the Indian Arbitration Act, 1899*—The number of awards filed during the year was 296.

50. *Applications for execution of decrees.*—The number of applications pending at the commencement of the year was 1,192 and the number of applications filed during the year was, 1,288 making a total of 2,480 for disposal. Of these 48 were disposed of by transfer, in 178 satisfaction was obtained in full, in 411 satisfaction was obtained in part and 749 were wholly infructuous making a total of 1,386 disposed of and 1,094 applications remained pending at the close of the year.

The number of execution applications disposed of during the year in which immovable property was sold was 9. The number of decrees received from other Courts for execution during the year was 867.

51. *Appeals instituted.*—383 appeals were instituted in 1939, showing an increase of 75 as compared with the previous year.

52. *Appeals disposed of.*—387 appeals were disposed of during the year 1939, showing an increase of 46 as compared with the previous year. There was an increase of disposals in Hyderabad and Larkana Judicial Districts and a decrease in the Sukkur Judicial District.

53.—*Appeals pending.*—There were 322 appeals pending at the close of the year 1939, the number being more by 7 than at the end of 1938. The number of appeals pending for more than a year fell from 117 to 73.

54. *Results of appeals.*—The results of decisions of appeals during the year was as follows:—

In 95 cases or 24.5 per cent. of the whole the appeals were either summarily dismissed or not prosecuted, in 156 or 40.3 per cent. the judgments of the lower Courts were affirmed, in 38 or 9.8 per cent. they were modified, in 69 or 17.8 per cent., they were reversed and in 29 or 7.5 per cent. a remand was ordered.

The average duration of appeals which were dismissed or not prosecuted was 170 days while that of appeals in which the judgments of the lower Courts were confirmed, modified, reversed or in which remand was ordered was 379 days.

55. *Miscellaneous appeals.*—212 miscellaneous appeals were instituted during the year and 81 were pending at the beginning of the year, and 1 was otherwise received. Of the total 294, 216 were disposed of during the year and 78 remained pending at its close. The number of pending appeals was less by 3 than in the previous year.

The average duration of miscellaneous appeals which were dismissed or not prosecuted was 172 days while that in which the judgments of the lower Courts were confirmed, modified, reversed or in which remand was ordered was 157 days.

56. The Civil work disposed of by the Court of the Judicial Commissioner of Sind (District Court Jurisdiction) in the year under report as compared with that in 1938 and the arrears at the end of the year are shown in Appendix F.

IV.—Court of the Judicial Commissioner of Sind (High Court Jurisdiction).

57. *Appeals from Subordinate Courts.*—The table below shows the number of First and Second Appeals from Decrees, and Appeals from Orders of Courts Subordinate to the Court of the Judicial Commissioner of Sind (High Court Jurisdiction) which came before the Court and were decided during the year:—

Appeals.	Pending at the end of 1938.	Instituted.	Otherwise received.	Disposed of.	Pending at the end of 1939.
First Appeals (from Original Decrees).	70	58	....	51	77
Second Appeals (from Appellate Decrees)	72	71	....	70	73
Appeals from Orders.	33	35	....	39	29
Total ..	175	164	....	160	179

The institutions of First Appeals and Second Appeals were more by 6 and 17, respectively, than last year while that of Appeals from Orders was the same.

58. *Appeals disposed of.*—The disposal of First Appeals and Second Appeals show respectively a decrease of 24 and 7 and that of Appeals from Orders show an increase of 2 over the figures of the previous year.

59. *Appeals pending.*—At the close of the year 1939, 77 First Appeals, 73 Second Appeals and 29 Appeals from Orders were pending. The aggregate total of pending Appeals is more by 4 than in 1938.

The average duration of appeals in the Court of the Judicial Commissioner of Sind (High Court Jurisdiction) which were dismissed or not prosecuted and those in which the judgments or orders were confirmed, modified, reversed or in which remand was ordered was as follows :—

Appeals.	Confirmed, modified, reversed or remanded.	Dismissed or not prosecuted.
	No. of days.	No. of days.
First Appeals	641	74
Second Appeals	641	32
Appeals from Orders	510	56

The high average duration appearing against the Court of the Judicial Commissioner of Sind in its High Court Jurisdiction is due to the special efforts that have been made to dispose of old appeals and clear off arrears. The average duration when compared with the average duration in the previous year was however less by 21 and 132, respectively for First and Second Appeals and more by 50 for Appeals from Orders in which orders were confirmed, modified, reversed or remanded while the average duration was less by 9 for Second Appeals and more by 35 and 10, respectively, for First Appeals and Appeals from Orders which were dismissed or not prosecuted than the average duration in the previous year. A reference to Appendix H annexed will show that on the civil appeal side arrears are almost overtaken.

60. *Comparative Statement of Civil work of the Court of the Judicial Commissioner of Sind (High Court Jurisdiction) during the past two years.*—Appendix G shows in detail the civil business which has come before and has been disposed of by the Court in its High Court Jurisdiction during each of the past two years.

61. *Results of appeals.*—Out of the 51 appeals from Original Decrees decided, 13 were dismissed or not prosecuted. Out of the remaining 38, the decrees of the lower Courts were confirmed in 22, modified in 6, and reversed in 4 and the remaining 6 remanded for retrial. Of the 70 appeals from the Appellate Decrees decided, 35 were dismissed or not prosecuted. Of the remaining 35 the decrees of the lower Courts were confirmed in 22, modified in 2, reversed in 3 and the remaining 8 were remanded for retrial. Of the 39 appeals from Orders decided, 15 were dismissed or not prosecuted. Of the remaining 24 the orders of the lower Courts were affirmed in 13, modified in 4, reversed in 2 and the remaining 5 were remanded for retrial.

During the year under report, no appeal under the Workmen's Compensation Act, 1923, was filed and the one appeal which was pending at the beginning of the year was disposed of.

No reference under the Workmen's Compensation Act, 1923, was filed during the year under report.

62. *Appeals to Privy Council.*—At the beginning of the year 1939, 2 applications for leave to appeal were pending orders, 1 new application was filed during the year, making a total of 3. All the three applications were disposed of during the year under report.

GENERAL.

63. The Subordinate Civil Court at Tando Muhammadkhan, which had been abolished by the Government of Bombay in 1932, as a measure of retrenchment, was revived by the Sind Government on 1st July 1939 in the public interest.

64. It becomes more manifest as time passes and experience in Provincial autonomy is gained how necessary it is that magisterial powers, which have so great an effect on the lives of the people should be exercised by Subordinate Judges subordinate to the High Court and not dependent upon the favour of the Executive Government for their promotion and the Honourable the Chief Judge and the Honourable Judges know of no reform which could be carried out at so comparatively light a cost and which would have a commensurate effect in raising the standard of administration in the districts generally. Though the Honourable the Chief Judge has at the request of the late Honourable Premier drawn out a scheme for the substitution of Executive Magistrates by Judicial Officers for the whole Province and though promises were made that the scheme should be tried out in two districts nothing substantial has been done in this direction. Five Extra Subordinate Judges' posts have

been created but it is too small a measure to affect the administration. Government, as the Honourable the Chief Judge and the Honourable Judges know, are sincerely anxious to redeem and create respect for law and order in this Province and to restore public confidence in the administration. They think that the separation of Judicial and the Executive in the simple manner the Honourable the Chief Judge has suggested would be a most effective measure in this direction.

65. The Sind Courts Act which was passed into law on 21st August 1926, was brought into operation on 15th April 1940 and this Court was constituted a Chief Court as from that date. The Sind Courts Act of 1866, amended from time to time, still required adjustment to the needs of a great and growing City with its sea and air-ports, and this need became even more urgent with the constitution of the Province of Sind as a separate Province. This need has now been met by the Sind Courts Act, 1926. The Sind Courts Act of 1926 also consolidates the law relating to the subordinate judiciary throughout the Province.

E. V. CASTELLINO,
Registrar,
Chief Court of Sind.

APPENDIX A.

Results of trials of cases in the Courts of Magistrates, Stipendiary and Honorary, in the City of Karachi.

Class of Magistrates.	Number of persons.						Percentage of convictions.
	Under-trial (including the number pending from the previous year).	Acquitted or discharged.	Convicted.	Committed.	Died, escaped or transferred to another Province.	Remaining under-trial.	
Stipendiary Magistrates	30,293	5,266	21,817	30	11	3,169	80.46
Special Magistrates under section 14, Criminal Procedure Code.	...	...	...	...	...	...	...
Honorary Magistrates sitting singly.	...	...	...	...	...	...	...
Benches of Honorary Magistrates...	...	...	...	...	...	...	...
Total	30,293	5,266	21,817	30	11	3,169	80.46

E. V. CASTELLINO,
Registrar,
Chief Court of Sind.

APPENDIX E.

The Criminal work disposed of by the Court of the Judicial Commissioner of Sind (High Court Jurisdiction) for the years 1938 and 1939.

Serial No.	Description of work.	Arrears on 31st December 1937.		1938.		Arrears on 31st December 1938.		1939.		Arrears on 31st December 1939.
		Filed.	Disposed of.	Filed.	Disposed of.	Filed.	Disposed of.	Filed.	Disposed of.	
1	Appeals ...	39	...	268	252	55	...	243	249	49
2	Confirmation Cases ...	7	...	24	26	5	...	16	15	6
3	Reported Cases, section 215, Criminal Procedure Code.	...	...	3	3	...	...	...	...	...
4	Reported Cases, section 438, Criminal Procedure Code.	9	...	52	54	7	...	54	46	15
5	Revision Applications on Court's own motion.	2	...	1	3	...	...	6	4	2
6	Revision Applications ...	27	...	199	199	27	...	169	168	28
7	Applications under section 498, Criminal Procedure Code.	1	...	7	7	1	...	9	10	...
8	Transfer Applications, section 526, Criminal Procedure Code.	7	...	125	123	9	...	104	104	9

E. V. CASTELLINO,
Registrar,
Chief Court of Sind.

APPENDIX F.

Civil work disposed of by the Court of the Judicial Commissioner of Sind (District Court Jurisdiction) for the years 1938 and 1939.

Description.	Arrears on 31st December 1937.	1938.		Arrears on 31st December 1938.	1939.		Arrears on 31st December 1939.
		Filed.	Dis-posed of.		Filed.	Dis-posed of.	
Miscellaneous Appeals ...	5	3	3	5	12	9	8
Civil Suits ...	265	459	247	477	316*	350	443
Execution Applications ...	951	1,389	1,211	1,129	1,276	1,320	1,085
Insolvency Applications ...	192	58	88†	162	40	73	129
Applications under Order XXXIII, rule 1, Civil Procedure Code.	14	23	16	21	22	23	20
Applications under section 24, Civil Procedure Code; and section 30, Karachi Small Causes Court Act.	...	14	12	2	22	24	...
Applications under Order XXI, rule 58, Civil Procedure Code.	8	20	21	7	25	25	7
Applications under Act IV of 1869.	...	1	...	1	3	4	...
Applications under Act II of 1882.	2	1	3	...	4	4	...
Applications under Act VIII of 1890.	12	35	36	11	52	45	18
Applications under Act I of 1894.	2	8	8	2	7	2	7
Applications under Act IX of 1899.	4	384	384	4	296	293	7
Applications under Act III of 1909.	11	21	14	18	20	23	15
Applications under Act IV of 1912.	1	...	1	...	3	1	2
Applications under Act VII of 1913.	9	12	14	7	9	10	6
Applications under Act XXXIX of 1925.	15	71	75	11	89	92	8

* Includes 4 suits restored to file during the year 1939.

† In 1938 the number of insolvency applications disposed of was shown as 55 instead of 88. The figure 55 represented the number of insolvency matters in which adjudication orders were passed and was shown through an oversight.

E. V. CASTELLINO,
Registrar,
Chief Court of Sind.

APPENDIX G.

Civil work done by the Court of the Judicial Commissioner of Sind (High Court Jurisdiction) in the years 1938 and 1939.

Description.	Arrears on 31st December 1937.	1938.		Arrears on 31st December 1938.	1939.		Arrears on 31st December 1939.
		Filed.	Disposed of.		Filed.	Disposed of.	
I Appeals	93	52	75	70	58	51	77
II Appeals	95	54	77	72	71	70	73
Miscellaneous Appeals	35	35	37	33	35	29	39
Applications under section 24, Civil Procedure Code.	...	3	2	1	2	3	...
Applications under section 115, Civil Procedure Code.	4	40	30	14	40	45	9
Applications under Order XLIV, rule 1, Civil Procedure Code.	...	1	1	...	...	...	...
Applications under Order XLV, rule 2, Civil Procedure Code.	2	...	...	...	1	3	...
References under Order XLVI, rule 1, Civil Procedure Code.	3	...	3	...	1	1	...
References under Order XLVII rule 1, Civil Procedure Code.	...	1	1	...	...	...	...
Applications under section 25 of Act IX of 1887.	40	13	24	29	32	27	34
Applications under section 66 of Act XI of 1922.	8	2	...	10	1	11	...
Applications under Act VIII of 1923.	...	1	...	1	...	1	...
Applications under Act XXXIX of 1925.	1	5	5	...	7	5	3
Applications under Act IV of 1929.	60	25	50	35	55	38	52
Applications under Bombay Regulation II of 1827, section 16 of Bombay Act XII of 1866, and Indian Bar Councils Act, XXXVIII of 1926.	3	2	5	...	2	...	2

E. V. CASTELLINO,
Registrar,
Chief Court of Sind.

APPENDIX H.

State of the Civil Appellate file in the Court of the Judicial Commissioner of Sind (High Court Jurisdiction) at the beginning of the year 1939 and at its close.

Description.	1935.	1936.	1937.	1938.	1939.	Total.
Balance of Civil Appellate work on 1st January 1939.						
I Appeals	...	1	6	31	32	70
II Appeals	31	41	72
Miscellaneous Appeals	1	14	18	33
Revision Applications	4	42	38	84
Applications under Act XXXIX of 1925	1	...	1
Civil References	3	...	3
Privy Council Applications	...	2	...	...	...	2
Balance of Civil Appellate work on 31st December 1939.						
I Appeals	2	28	47
II Appeals	2	29	42
Miscellaneous Appeals	4	25	29
Revision Applications	1	23	73
Applications under Act XXXIX of 1925	3	3
Civil References	2	2
Privy Council Applications

NOTE.—On 31st July 1940, no matters of 1937 were pending, except one revision—an inquiry into the conduct of an Advocate, and of the work of the year 1938 only 14 First Appeals and 3 Revision Applications remained pending.

E. V. CASTELLINO,
Registrar,
Chief Court of Sind.

STATEMENT NO. 25—(CIVIL AND CRIMINAL).

Showing the number of Judicial Divisions and the number of Officers exercising Appellate or Original Jurisdiction in the Province of Sind on 31st December 1939.

Name of Province.	Judges of Chief Court of Province (1).	CIVIL.				CRIMINAL.							Remarks.
		Number of Districts.	District Judges (2).	Other Judges.		Number of Sessions Divisions.	Number of Districts.	Sessions Judges (4).	Other Judges.	District Magistrates (3).	Other Magistrates.		
				Stipendiary (3).	Honorary.						Stipendiary.	Honorary.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Sind	4 (a)	4	10 (b)	23 (c)	...	4	8	8 (a)	...	9	177 (d)	4 (e)	(a) Do both civil and criminal work. (b) 8 do both civil and criminal work. (c) 14 do both civil and criminal work. (d) 14 do both civil and criminal work. (e) Lady First Class Honorary Magistrates attached to the Juvenile Court.

- (1) The Honourable the Judicial Commissioner of Sind and the Honourable Judges of the Court of the Judicial Commissioner of Sind.
 (2) Includes 5 Assistant Judges, and the Chief Judge, Karachi Small Causes Court.
 (3) Includes 4 First Class Subordinate Judges, 14 Second Class Subordinate Judges, 4 Mukhtiar-kars who are also Joint Subordinate Judges and 1 Registrar, Karachi Small Causes Court.
 (4) Includes Additional Sessions Judges.
 (5) Includes the City Magistrate, Karachi, who is also Additional District Magistrate, Karachi.

E. V. CASTELLINO,
 Registrar,
 Chief Court of Sind.

STATEMENT NO. 26—(CIVIL AND CRIMINAL).

Showing the number of cases decided in and the receipts and charges of the Courts in the Province of Sind for the year 1939.

Name of Province.	NUMBER OF CASES DECIDED.						Remarks.
	Original.		Appellate.		Total receipts of Courts.	Total charges of Courts.	
	Regular.	Miscellaneous.	Regular.	Miscellaneous.			
1	2	3	4	5	6	7	8
Sind—						Rs.	Rs.
Civil	...	25,365	26,001	508	255	*	*
Criminal	...	47,574	547	2,134	252		

* Statistics in this column have been omitted as per Government letter, Home Department, No. 6098/2, dated the 15th July 1930.

E. V. CASTELLINO,
 Registrar,
 Chief Court of Sind.

STATEMENT No. 27—(CIVIL).

Showing the number and description of Civil Suits instituted in the Civil Courts in the Province of Sind for the year 1939.

Class of Tribunals.	Suits for money or moveable property	Suits under the Rent Law.					Title and other suits.					Grand Total.
		Arrears of rent with or without ejectment.	Enhancement or abatement of rent.	For ejectment or recovery of possession alone.	All other suits under the Rent Law.	Total.	Suits for immovable property.	Suits for specific relief.	Mortgage suits.	Other suits not falling under any of the preceding heads	Total.	
1	2	3	4	5	6	7	8	9	10	11	12	13
Courts of Subordinate Judges.	13,753	...	...	...	...	...	383	173	547	570	1,873	15,626
Karachi Small Causes Court.	5,996	1,103	...	170	...	1,273	...	...	...	...	...	7,269
District Courts (including those of Joint and Assistant Judges).	...	...	...	...	...	...	...	1	...	8	9	9
Judicial Commissioner's Court (District Court Jurisdiction).	170	7	...	12	...	19	38	35	6	44	123	312
Total ...	19,919	1,110	...	182	...	1,292	621	209	553	622	2,005	23,216

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E. V. CASTELLINO,
Registrar.

STATEMENT No. 28.—(CIVIL).

Showing the number and value of suits instituted in the Civil Courts in the Province of Sind for the year 1939.

Class of Tribunals.	Number of suits instituted in different Courts.										Total value of suits.	
	Value not exceeding Rs. 10.	Value Rs. 10 to Rs. 50.	Value Rs. 50 to Rs. 100.	Value Rs. 100 to Rs. 500.	Value Rs. 500 to Rs. 1,000.	Value Rs. 1,000 to Rs. 5,000.	Value above Rs. 5,000.	Number of suits, the value of which cannot be estimated in money	Total number of suits instituted.			
1	2	3	4	5	6	7	8	9	10	11		
Courts of Subordinate Judges	1,493	6,044	3,193	3,467	621	476	202	130	15,626	Rs. 53,29,793	a. p. 2 3½
Karachi Small Causes Court	389	2,836	1,549	1,994	341	160	...	...	7,269	10,96,335	0 7
District Courts (including those of Joint and Assistant Judges).	...	4	...	...	1	...	...	...	4	9	220	0 0
Judicial Commissioner's Court (District Court Jurisdiction).	2	3	29	13	89	41	135	312	8,83,684	8 10
Total	1,886	8,882	4,745	5,491	975	725	243	269	23,216	73,10,032	11 8½

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E. V. CASTELLINO,
Registrar,
Chief Court of Sind.

STATEMENT No. 29—(CIVIL).

Showing the general results of trial of Civil and Revenue cases in the Courts of Original Jurisdiction in the Province of Sind for the year 1939.

CIVIL SUITS.

Class of Tribunals.	Number of suits before the Courts.					Number of suits disposed of.						
	Pending at the beginning of the year.	Instituted during the year.	Revived during the year.	Otherwise received.	Total.	Without trial.			Ex-parte.		On admission of claim.	
						Under Order IX, rules 3 and 8, Civil Procedure Code.	Otherwise.	Average duration.	Number.	Average duration.	Number.	Average duration.
1	2	3	4	5	6	7	7-A	8	9	10	11	12
I.—CIVIL COURTS.												
Courts of Subordinate Judges ...	6,524	15,626	407	163	22,720	3,466	303	114	3,486	118	428	115
Karachi Small Causes Court ...	2,082	7,269	96	...	9,447	182	101	50	3,531	55	1,949	51
District Courts (including those of Joint and Assistant Judges).	49	9	...	...	58	1	1	19	...	...	...	...
Judicial Commissioner's Court (District Court Jurisdiction).	477	312	4	...	793	12	88	416	45	235	5	77
Total ...	9,132	23,216	507	163	33,018	3,661	493	116	7,062	87	2,382	63
II.—REVENUE COURTS.												
Courts under Bombay Act II of 1906
GRAND TOTAL ...	9,132	23,216	507	163	33,018	3,661	493	116	7,062	87	2,382	63

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STATEMENT No. 29 (CIVIL)—concl'd.

Class of Tribunals.	Number of suits disposed of.										Pending at the close of the year.	Pending for more than a year.	Remarks.
	Compromised.		After full trial.			On reference to arbitration.		By transfer.		Total disposed of Cols. 7, 7-A, 9, 11, 13, 15, 16, 18 and 20.			
	Number.	Average duration.	Judgment for plaintiff.	Judgment for defendant.	Average duration.	Number.	Average duration.	Number.	Average duration.				
13	14	15	16	17	18	19	20	21	21-A	22	23	24	
I.—CIVIL COURTS.													
Courts of Subordinate Judges ...	5,994	124	1,764	379	234	1,424	182	243	166	17,487	5,233	586	
Karachi Small Causes Court ...	558	117	824	207	135	121	130	...	...	7,473	1,974	29
District Courts (including those of Joint and Assistant Judges).	...	...	...	...	...	...	...	53	229	55	3	...
Judicial Commissioner's Court (District Court Jurisdiction).	96	359	51	29	572	24	453	...	...	350	443	218
Total ...	6,648	127	2,639	615	211	1,569	182	296	177	25,365	7,653	833	
II.—REVENUE COURTS.													
Courts under Bombay Act II of 1906	
GRAND TOTAL ...	6,648	127	2,639	615	211	1,569	182	296	177	25,365	7,653	833	

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E. V. CASTELLINO,
Registrar,
Chief Court of Sind.

STATEMENT No. 30—(CIVIL).

Showing the general results of trial of Civil and Revenue cases in Courts of Original Jurisdiction in the Province of Sind for the year 1939.

MISCELLANEOUS CASES.

Class of Tribunals.	Number of suits before the Courts.					Number of suits disposed of.						
	Pending at the beginning of the year.	Instituted during the year.	Revived during the year.	Otherwise received.	Total.	Without trial.			Ex-parte.		On admission of claim.	
						Under Order IX, rules 3 and 8, Civil Procedure Code.	Otherwise.	Average duration.	Number.	Average duration.	Number.	Average duration.
1	2	3	4	5	6	7	7-A	8	9	10	11	12
I.—CIVIL COURTS.												
Courts of Subordinate Judges ...	322	538	3	17	880	145	39	201	58	104	175	84
Karachi Small Causes Court ...	28	66	...	...	94	10	4	82	6	85	21	88
District Courts (including those of Joint and Assistant Judges) ...	78	255	1	2	336	36	46	119	6	63	4	40
Judicial Commissioner's Court (District Court Jurisdiction) ...	67	413	1	...	481	10	15	88	...	...	287	19
Judicial Commissioner's Court (High Court Jurisdiction) ...	92	132	...	...	224	...	...	...	55	44	...	...
Total ...	587	1,404	5	19	2,015	201	104	164	125	75	487	45
II.—REVENUE COURTS.												
Courts under Bombay Act II of 1906
GRAND TOTAL ...	587	1,404	5	19	2,015	201	104	164	125	75	487	45

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STATEMENT No. 30—(CIVIL)—concl'd.

Class of Tribunals.	Number of suits disposed of.										Pending at the close of the year.	Pending for more than a year.	Remarks.
	Compromised.		After full trial.			On reference to arbitration.		By transfer.		Total disposed of, Cols. 7, 7-A, 9, 11, 13, 15, 16, 18 and 20.			
	Number.	Average duration.	Judgment for plaintiff.	Judgment for defendant.	Average duration.	Number.	Average duration.	Number.	Average duration.				
13	14	15	16	17	18	19	20	21	21-A	22	23	24	
I.—CIVIL COURTS.													
Courts of Subordinate Judges ...	25	220	97	61	320	2	160	6	149	608	272	41	
Karachi Small Causes Court ...	4	96	10	10	119	...	...	...	...	65	29	...
District Courts (including those of Joint and Assistant Judges) ...	2	574	38	30	267	...	...	85	4	247	89	8
Judicial Commissioner's Court (District Court Jurisdiction) ...	21	231	51	18	160	...	...	...	...	402	79	22
Judicial Commissioner's Court (High Court Jurisdiction) ...	...	...	47	23	249	...	...	...	...	125	99	49
Total ...	52	228	243	142	258	2	160	91	13	1,447	568	120	
II.—REVENUE COURTS.													
Courts under Bombay Act II of 1906	
GRAND TOTAL ...	52	228	243	142	258	2	160	91	13	1,447	568	120	

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E. V. CASTELLINO,
Registrar,
Chief Court of Sind.

STATEMENT No. 31—(CIVIL).

Showing the business of Civil Appellate Courts in the Province of Sind for the year 1939.

APPEALS FROM DECREES.

Class of Tribunals.	Total number of appeals before the Courts.				Number of appeals disposed of.									Total disposed of (columns 6, 8 to 11 and 13).	Pending at the close of the year.	Pending for more than a year.	Remarks.
	Pending at the beginning of the year.	Instituted and re-instituted during the year.	Otherwise received.	Total.	Dismissed or not prosecuted.		Confirmed.	Modified.	Reversed.	Remanded for re-trial.	Average duration of appeals in columns 8, 9, 10 and 11.	By transfer.					
					Number.	Average duration.						Number.	Average duration.				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	14-A	15	16	17
District Courts (including those of Joint and Assistant Judges).	315	383	11	709	95	170	156	38	69	29	379*	...	...	387	322	73	
Judicial Commissioner's Court (District Court Jurisdiction) ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Judicial Commissioner's Court (High Court Jurisdiction). (1st appeals.)	70	58	...	128	13	74	22	6	4	6	641*	...	...	51	77	30	
	72	71	...	143	35	32	22	2	3	8	641*	...	...	70	73	31	
Total ...	457	512	11	980	143	127	200	46	76	43	432*	...	...	508	472	134	

* The average duration is high because many old appeals were disposed of during 1939.

E. V. CASTELLINO,
Registrar,
Chief Court of Sind.

36

STATEMENT No. 32—(CIVIL).

Showing the business of Civil Appellate Courts in the Province of Sind for the year 1939.

MISCELLANEOUS APPEALS.

Class of Tribunals.	Total number of appeals before the Courts.				Number of appeals disposed of.									Total disposed of (columns 6, 8 to 11 and 13).	Pending at the close of the year.	Pending for more than a year.	Remarks.
	Pending at the beginning of the year.	Instituted and re-instituted during the year.	Otherwise received.	Total.	Dismissed or not prosecuted.		Confirmed.	Modified.	Reversed.	Remanded for re-trial.	Average duration of appeals in columns 8, 9, 10 and 11.	By transfer.					
					Number.	Average duration.						Number.	Average duration.				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	14-A	15	16	17
District Courts (including those of Joint and Assistant Judges) ...	76	200	1	277	37	163*	104	17	42	7	147	...	...	207	70	9	
Judicial Commissioner's Court (District Court Jurisdiction) ...	5	12	...	17	2	344*	6	...	1	...	411*	...	...	9	8	...	
Judicial Commissioner's Court (High Court Jurisdiction) ...	33	35	...	68	15	56	13	4	2	5	510*	...	...	39	29	20	
Total ...	114	247	1	362	54	140*	123	21	45	12	199	...	...	255	107	29	

* The average duration is high as most of the matters disposed of were old.

E. V. CASTELLINO,
Registrar,
Chief Court of Sind.

37

STATEMENT No. 33—(CRIMINAL).

Showing the general results of Trials of Criminal cases in the Tribunals of various classes in the Province of Sind for the year 1939.

Class of Tribunals.	Number of offences reported.	Number of persons under trial.	Persons whose cases were disposed of.				Persons remaining under trial at the end of the year.
			Discharged or acquitted.	Convicted.	Committed or referred.	Died, escaped or transferred to another Province.	
1	2	3	4	5	6	7	8
Subordinate Magistrates—							
Special Magistrates under section 14	43	662	...	...	...	102	560
Honorary Magistrates sitting singly	...	...	...	...	...	...	...
Stipendiary Magistrates sitting singly	55,274	81,465	27,956	38,534	1,033	139	13,803
Benches of Magistrates ...	...	...	...	...	...	...	...
District and Divisional Magistrates—							
Cases referred under sections 347 and 349, Criminal Procedure Code	58	328	132	63	...	1	132
Chief Magistrates of Districts	...	...	...	...	...	...	...
Courts of Session	630	1,594	589	539	17	1	448
Judicial Commissioner's Court (High Court Jurisdiction)	...	25	2	16	...	...	7
Total	56,005	84,074	28,679	39,152	1,050	243	14,950

E. V. CASTELLINO,
Registrar,
Chief Court of Sind.

Showing the general results of Appeals and Revisions in Criminal cases in the Province of Sind for the year 1939.

Class of Tribunals.	Number of persons.							Pending trial.
	Number of appellants and applicants for revision before the Courts.	Appeals or applications rejected.	Sentence or order confirmed.	Sentence altered.	Sentence reversed.	Otherwise disposed of.	Died, escaped or transferred to another Province.	
1	2	3	4	5	6	7	8	9
APPEALS TO								
Chief Magistrates of Districts.	249	88	34	17	58	24	...	28
Courts of Session, including Judicial Commissioner's Court (Sessions Court Jurisdiction).	2,193	823	419	181	434	25	...	311
Judicial Commissioner's Court (High Court Jurisdiction)	394	125	135	22	20	12	...	80
Total	2,836	1,036	588	220	512	61	...	419
REVISION BY								
Chief Magistrates of Districts.	26	78	...	...	...	22	...	...
Courts of Session, including Judicial Commissioner's Court (Sessions Court Jurisdiction).	153	415	...	...	...	223	...	151
Judicial Commissioner's Court (High Court Jurisdiction).	218	170	58	11	4	62	...	37
Total	397	663	58	11	4	307	...	188
GRAND TOTAL	*3,233	1,699	646	231	516	368	...	607

* In the applications for revision made on behalf of complainants there were 834 accused persons involved and these must be added to the grand total of column 2 to make it equal to the total of columns 3 to 9.

E. V. CASTELLINO,
Registrar,
Chief Court of Sind.

STATEMENT No. 35—(CRIMINAL).
 Showing the nature of offences reported and the number of persons tried, convicted and acquitted of offence in the Province of Sind for the year 1939.

Description of offence.	Number of cases.			Number of persons.					Remarks.	
	Offences reported.	Returned as tried.	Brought to trial.	Under trial including pending from previous year.	Acquitted or discharged.	Convicted.	Died, escaped or transferred to another Province or Presidency.	Remaining under trial.	Complaints dismissed under section 203, Criminal Procedure Code.	Complainants fined under section 250, Criminal Procedure Code.
1	2	3	4	5	6	7	8	9	10	11
Criminal conspiracy ...	...	...	...	...	...	...	...	...	...	...
Against the State ..	...	...	...	...	...	...	...	...	...	...
Relating to the Army and Navy.	...	...	...	...	...	...	...	...	...	...
Against the public tranquillity ...	322	292	326	1,748	1,007	175	10	556	24	6
By or relating to public servants.	38	35	39	74	27	14	...	33	3	...
Contempts of the lawful authority of public servants.	265	259	286	337	74	131	2	130	6	...
False evidence and offences against public justice.	387	360	415	594	190	153	3	248	17	10
Relating to coins ...	29	29	33	51	20	16	...	15	...	...
Relating to Government stamps.	10	10	10	11	3	7	...	1	...	...
Relating to weights and measures	9	9	9	12	2	7	...	3	...	...
Affecting the public health, safety, convenience, decency and morals.	88	88	88	92	24	52	1	15	...	...
Relating to religion ...	41	40	46	67	20	19	...	28	1	...
<i>Affecting the human body.</i>										
Affecting life ...	642	640	683	1,370	468	355	12	535	2	...
Causing miscarriage, injuries to unborn children, exposure of infants and the concealment of births.	7	7	7	21	2	1	1	17

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Hurt ...	3,397	3,174	3,637	9,190	6,101	1,145	13	1,931	220	3
Wrongful restraint and wrongful confinement.	384	360	378	990	643	63	3	281	22	7
Criminal force and assault ...	464	433	472	1,139	837	123	11	168	29	4
Kidnapping, forcible abduction, slavery and forced labour.	288	250	275	1,053	469	178	2	404	38	...
Rape ...	36	33	35	67	35	19	1	12	2	1
Unnatural offence ...	37	36	45	70	33	14	...	23	1	...
<i>Against property.</i>										
Theft ordinary ...	2,166	2,105	2,247	4,037	1,204	1,587	26	1,220	23	40
Cattle theft ...	905	838	977	1,748	579	611	29	529	35	32
Extortion ...	47	40	40	86	40	5	...	41	7	...
Robbery and dacoity ...	175	167	176	1,141	117	111	91	822	4	...
Criminal misappropriation ...	409	350	361	506	413	12	...	81	54	4
Criminal breach of trust ...	368	299	321	452	179	77	5	191	65	4
Receiving stolen property ...	575	554	599	999	384	284	6	325	8	4
Cheating ...	1,115	932	989	1,757	1,271	42	5	439	180	13
Fraudulent deeds and disposition of property.	86	70	92	204	189	5	...	70	14	3
Mischief, ...	362	335	350	1,231	846	78	...	307	21	6
Criminal Trespass ...	1,370	1,312	1,413	3,437	2,287	436	1	713	50	8
Relating to documents and to trade or property marks.	22	22	25	39	13	9	...	17	...	...
Criminal breach of contracts of service.	...	...	...	...	...	...	...	...	...	...
Relating to marriage ...	713	635	689	2,753	1,715	107	9	922	76	2
Defamation ...	203	185	196	426	302	17	...	107	18	...
Criminal intimidation, insult and annoyance.	1,207	1,070	1,098	2,473	2,006	47	1	419	136	1
Offences under Special and Local Laws.	39,838	39,829	40,077	44,789	7,179	33,252	11	4,347	9	...
Total ...	56,005	54,798	56,434	83,024	28,679	39,152	243	14,950	1,065	151

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E. V. CASTELLINO,
 Registrar,
 Chief Court of Sind.

STATEMENT

Showing the punishments inflicted by the various Criminal

Class of Tribunals,	Number of persons executed.	Number of persons sentenced to					
		Death.	Transportation or penal servitude.	Imprisonment.	Fine or forfeiture	Whipping.	Give security.
1	2	3	4	5	6	7	8
Subordinate Magistrates—							
Special Magistrates under section 14.	...	...	...	...	...	...	...
Honorary Magistrates sitting singly.	...	...	...	...	...	...	...
Stipendiary Magistrates sitting singly.	...	...	...	4,278	33,175	172	1,018
Benches of Magistrates ...	...	...	...	...	...	...	...
District and Divisional Magistrates—							
Cases referred under sections 347 and 349, Criminal Procedure Code	...	...	...	33	3	...	26
Chief Magistrates of Districts	...	...	...	...	...	...	...
Courts of Session	...	...	59	469	11	...	4
Judicial Commissioner's Court (High Court Jurisdiction).	16	13	3	...	...	...	...
Total ...	16	13	62	4,780	33,189	172	1,048

No. 36—(CRIMINAL).

Tribunals in the Province of Sind for the year 1939.

Fine of		Total amount of fines			Number of persons sentenced to imprisonment of				Remarks.
Rs. 10 and under.	Over Rs. 10.	Imposed.	Realised.	Paid as compensation.	15 days and under.	Above 15 days to 6 months.	Above 6 months to 2 years.	Above 2 years.	
9	10	11	12	13	14	15	16	17	18
		Rs. a. p.	Rs. a. p.	Rs. a. p.					
...
30,992	2,183	2,30,689 9 6	1,46,532 15 2	6,866 4 9	839	1,937	1,378	124	
...
2	1	1,253 0 0	253 0 0	50 0 0	...	4	29	...	
...
...	11	14,157 0 0	2,616 0 0	65 0 0	2	37	109	321	
...
30,994	2,195	2,46,099 9 6	1,49,401 15 2	6,981 4 9	841	1,978	1,516	445	

E. V. CASTELLINO,
Registrar,
Chief Court of Sind.

Statement showing the amount of work disposed of by the various

Names of Courts.	CRIMINAL WORK.		CIVIL				
	Cases disposed of by the Sessions Court.	Appeals disposed of by the Sessions Court.	Original.				Total number of appeals before the Court.
			Total number of suits before the Court.	Disposed of.	Pending at the end of the year under report.	Pending at the end of the preceding year.	
1	2	3	4	5	6	7	8*
HYDERABAD.							
Court of District and Sessions Judge.	49	121	55	4	2	49	271
Court of 1st Assistant and Additional Sessions Judge.	46	125	...	...	...	...	...
Court of 2nd Assistant and Additional Sessions Judge.	45	167	...	...	...	...	...
Court of 3rd Assistant and Additional Sessions Judge.	52	146	...	...	...	...	...
Court of 4th Assistant and Additional Sessions Judge.	4	8	...	...	...	...	...
Court of Assistant and Additional Sessions Judge, Hyderabad, at Nawabshah.	83	202	...	...	...	...	...
Court of Assistant Judge and Assistant Sessions Judge, Hyderabad, (under training).	...	...	...	49	...	...	...
First Class Subordinate Court with Civil Appellate powers.	...	...	206	99	107	114	...
Joint Second Class Subordinate Court.	...	...	910	738	172	442	...
Small Causes Court ...	...	...	2,238	1,983	255	842	...
Subordinate Court, Shahdadpur, Regular.	...	...	1,282	953	329	319	...
Subordinate Court, Shahdadpur, Small Causes.	...	...	493	412	81	115	...
Subordinate Court, Naushahro, Regular.	...	...	1,140	913	227	320	...
Subordinate Court, Naushahro, Small Causes.	...	...	336	297	39	52	...
Subordinate Court, Tatta, Regular.	...	...	475	373	102	160	...
Subordinate Court, Tatta, Small Causes.	...	...	496	418	78	114	...
Subordinate Court, Mirpurkhas, Regular.	...	...	1,661	1,226	435	477	...
Subordinate Court, Mirpurkhas, Small Causes.	...	...	309	267	42	59	...
Subordinate Court, Tando Muhammad Khan, Regular.	...	...	216	109	107	...	...
Subordinate Court, Tando Muhammad Khan, Small Causes.	...	...	209	137	72	...	...
Total ...	279	769	10,026	7,978	2,048	3,063	271
SUKKUR.							
Court of District and Sessions Judge	50	199	3	2	1	...	273
Court of 1st Assistant and Additional Sessions Judge.	44	179	...	...	...	...	...
Court of 2nd Assistant and Additional Sessions Judge.	7	...	...	...	...	...	...
First Class Subordinate Court, with powers of Assistant Sessions Judge and Civil Appellate powers.	...	...	93	55	38	37	...
Second Class Subordinate Court ...	...	...	390	234	156	158	...
Small Causes Court ...	...	...	1,090	884	206	238	...
First Class Subordinate Court Shikarpur with Civil Appellate powers.	...	...	103	54	49	43	...
Joint Second Class Subordinate Court, Shikarpur.	...	...	1,198	753	445	548	...
Small Causes Court, Shikarpur ...	...	...	1,003	863	140	204	...
Subordinate Court, Rohri, Regular..	...	...	1,243	821	422	409	...
Subordinate Court, Rohri, Small Causes.	...	...	707	645	62	205	...
Subordinate Court, Jacobabad, Regular.	...	...	694	484	210	259	...
Subordinate Court, Jacobabad, Small Causes.	...	...	797	679	118	205	...
Total ...	101	378	7,321	5,474	1,847	2,306	273

Courts in each District in the Province of Sind for the year 1939.

Work.	Appellate.			Execution proceedings disposed of.	Order made after investigation—columns 16 and 17 of the monthly Civil Returns.	Number of original suits pending more than a year at the end of the year under report.	Number of appeals pending more than a year at the end of the year under report.	Remarks.
	Disposed of.	Pending at the end of the year under report.	Pending at the end of the preceding year.					
	9*	10*	11*					
			12	13	14	15	16	
30	110	93	1	22	...	9	* Columns 8 to 11 do not include miscellaneous appeals shown in Statement No. 32.	
18	1	10	...	...
31	1	22	...	...
21	47	19	...	...
5	1	1	...	...
56	28	...	...
...		
...	136	77	53	...		
...	837	71	50	...		
...	1,145	29	2	...		
...	1,152	22	7	...		
...	215	...	...	...
...	925	33	7	...		
...	211	...	...	...
...	507	14	5	...		
...	479	1	2	...		
...	974	18	17	...		
...	82	...	...	...
...	129	4	7	...		
...	118	3	...	...
161	110	93	6,961	374	160	9		
132	141	135	12	87	...	42		
...		
...	74	25	8	...		
...	330	50	37	...		
...	757	6	10	...		
...	126	12	12	...		
...	1,031	83	153	...		
...	590	3	...	...
...	1,266	31	...	...
...	751	...	...	...
...	623	23	21	...		
...	573	5	...	...
132	141	135	6,133	315	311	42		

STATEMENT

Statement showing the amount of work disposed of by the various Courts

Names of Courts.	CRIMINAL WORK.		CIVIL				
	Cases disposed of by the Sessions Court.	Appeals disposed of by the Sessions Court.	Original.				Total number of appeals before the Court.
			Total number of suits before the Court.	Disposed of.	Pending at the end of the year under report.	Pending at the end of the preceding year.	
1	2	3	4	5	6	7	8*
LARKANA.							
Court of District and Sessions Judge.	59	146	...	...	...	...	165
Court of Assistant and Additional Sessions Judge.	55	148	...	...	..	...	...
First Class Subordinate Court.	...	...	54	22	32	30	...
Second Class Subordinate Court.	...	...	1,662	1,080	582	502	...
Small Causes Court.	...	...	1,143	872	271	194	...
Subordinate Court, Mehar, Regular.	...	...	1,180	923	257	250	...
Subordinate Court, Mehar, Small Causes.	...	...	293	235	58	35	...
Subordinate Court, Sehwan, Regular.	...	...	774	664	110	164	...
Subordinate Court, Sehwan, Small Causes.	...	...	325	294	31	29	...
Total ...	114	294	5,431	4,090	1,341	1,204	165
KARACHI.							
Court of the Judicial Commissioner of Sind (District and Sessions Court Jurisdiction).	25	92	793	350	443	477	...
Karachi Small Causes Court.	...	...	9,447	7,473	1,974	2,082	...
Total ...	25	92	10,240	7,823	2,417	2,559	...
CONSOLIDATED TOTALS OF DISTRICTS.							
Hyderabad ...	279	769	10,026	7,978	2,048	3,063	271
Sukkur ...	101	378	7,321	5,474	1,847	2,306	273
Larkana ...	114	294	5,431	4,090	1,341	1,204	165
Karachi ...	25	92	10,240	7,823	2,417	2,559	...
Total ...	519	1,533	33,018	25,365	7,653	9,132	709
Court of the Judicial Commissioner of Sind (High Court Jurisdiction).	...	...	...	...	...	...	271

No. 14. (contd.)

in each District in the Province of Sind for the year 1939—contd.

WORK.							Remarks.
Appellate.			Execution proceedings disposed of.	Order made after investigation—columns 16 and 17 of the monthly Civil Returns.	Number of original suits pending more than a year at the end of the year under report.	Number of appeals pending more than a year at the end of the year under report.	
Disposed of.	Pending at the end of the year under report.	Pending at the end of the preceding year.					
9*	10*	11*	12	13	14	15	16
50	37	87	3	31	...	22	*Columns 8 to 11 do not include miscellaneous appeals shown in Statement No. 32.
44	34	...	...	27	...	...
...	...	...	53	18	14	...
...	...	...	1,483	34	99	...
...	...	...	694	10	6	...
...	...	...	1,084	21	6	...
...	...	...	183	...	...	...
...	...	...	894	23	...	...
...	...	...	296	...	...	...
94	71	87	4,690	164	125	22	
...	...	...	1,320	402	218	...
...	...	...	5,525	65	29	...
...	...	...	6,845	467	247	...
161	110	93	6,961	374	150	9	
132	141	136	6,133	315	311	42	
94	71	87	4,690	164	125	22	
...	...	...	6,845	467	247	...
387	322	315	24,629	1,320	833	73	
121	150	142	...	...	...	61

E. V. CASTELLINO,
Registrar,
Chief Court of Sind.

