

Howrah Improvement Act, 1956

Section 77 - (I) An appeal shall lie to the High Court from an award made

1956.XIV of 1956.1 (Cling~cr1K-Acqtrisirion nrted Disposal oJLonr1.-Section~t 77.) (c) nolwilhsranding anything conained in the iorcgoing clauscs, the decision on all questions of law and proccdure shall rcst solely with the President or [he Tribunal. 12) Evcry award of the Tribunal and every order made by the~ribunal for [he payment of moncy shall be enforced by the Courl of lie Disuicl Judgc oEHownh as if it werc a dccrcc of [hat Coun. AP@, under [his Chapler, in any of the following cases, namcl y :- (a) where thc dccision is that o l the President of rhc Tribunal silting alone in pursuincc olclause (b) of sub-section (I) of section 76; (b) where [he dccision is that of the Tribunal, and (i) [lie Presiden~of h e Tribunal granrs a cenifrcate that h e case i s a fil one for appeal, or (ii) the High Courl grants special Icavc to appeal: Provided [hat thc High Court shall not grant such special Icave unless the Prcsidentl of the Tribunal has reruscd lo grant a ccrtificalc under sub-clause (i) and [hc amounl in dispule is not lcss than five ihousnnd rupces. (2) An appcal under clausc (b) of sub-section (1) shall on1y lic on (one or nlorc o f) the following grounds, namely:- (i) rhc dccision being conu-ary to law or to some usagc having the force O1law; (ii) thc dccision having railcd ID determine some malerial issuc of law or usagc having tile force OF law; (iii) a substantial error or defect i n the proccdure provided byI I)[1591. ~ h Land c Acquisition Act, 1894, which may possibly have produced error or defcct in thc dccision of [he case upon the mcrits. (3) Subjcct LO rlle provisions of subscclions (1) and (2), thc provisionsACI V or of !he Codc of Civil Proccdurc, 1903, wilh respect ro appeals from original