The Himachal Pradesh Courts Act, 1976

Act H.P. Act No. 23 of 1976. 32 sections. Bare Act with the official footnotes.

Source: Law Department, Government of Himachal Pradesh, as updated to 19 October 2026. This is the official text as held in Law Maker's Bare Acts library, checked against the official file; for use in court or an exam hall, check the Gazette or India Code copy.

Official file:
https://himachal.nic.in/law/ControlsAsync/ViewFTPFile?qs=KI3gZ53zz1xcHARKd%2FYiMZcuH4f4%2Fj6vN0mnDImosqFRj%2FdjpqjdM%2FOlmlF

Every section online, with the old and new law side by side and exam questions:
https://www.lawmaker.in/bare-acts/himachal-pradesh-courts-act-1976

Contents

PART I PRELIMINARY (Sections 1 to 2)
PART II: CHAPTER I THE SUBORDINATE CIVIL COURTS (Sections 3 to 19)
PART II: CHAPTER II APPELLATE AND REVISIONAL JURISDICTION IN CIVIL CASES (Sections 20 to 22)
PART II: CHAPTER III SUPPLEMENTARY PROVISIONS (Sections 23 to 30)

(Received the assent of the Governor on the 26th May, 1976 and was published in the Rajpatra, Himachal Pradesh (Extra-Ordinary), dated the 4th June, 1976, pp. 1275-1282)

An Act to enact a law relating to Courts in Himachal Pradesh.

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Twenty-seventh Year of the Republic of India as follows:-

PART I PRELIMINARY

Section 1. Short title, extent and commencement

(1) This Act may be called the Himachal Pradesh Courts Act, 1976.

(2) It shall extend to the whole of Himachal Pradesh.

(3) It shall come into force at once.

Section 2. Definitions

In this Act, unless there is anything repugnant in the subject or context,-

(a) "civil district" or "district" means the local limits of the jurisdiction of a principal Civil Court of original jurisdiction;

(b) "District Judge" shall include an Additional District Judge;

(c) "Government" or "State Government" means the Government of Himachal Pradesh;

(d) "High Court" means the High Court of Himachal Pradesh;

(e) "Official Gazette" means the Rajpatra, Himachal Pradesh; and

(f) "Small Cause" means a suit of the nature cognizable by a Court of Small Causes under the Provincial Small Cause Courts Act, 1887 (9 of 1887).

PART II

CHAPTER I THE SUBORDINATE CIVIL COURTS

Section 3. Classes of Courts

Besides the Courts of Small Causes established under the Provincial Small Cause Courts Act, 1887 (9 of 1887), and the Courts established under any other enactment for the time being in force, there shall be the following classes of Subordinate Civil Courts in Himachal Pradesh:-

[1]{(a) the Court of the District Judge;

[2][(b) the Court of Senior Civil Judge; and

(c) the Court of Civil Judge.]}

[1] Clauses (1) and (2) of section 3 substituted by Clauses (a), (b) and (c) vide H.P. Act No. 14 of 2003.
[2] Clauses (b) and (c) substituted vide H.P. Act No. 10 of 2015.

Section 4. Civil Districts

(1) For the purpose of this Act, the State Government shall, by notification in the Official Gazette, divide the Himachal Pradesh into civil districts and may alter the limits or the number of these districts and may determine the headquarters of each such district, for the purpose of locating the administrative offices of the District Judge.

(2) The civil districts existing in the State at the commencement of this Act, shall be deemed to have been formed under this Act.

Section 5. District Judges

The State Government shall, after consultation with the High Court, appoint as many persons as it thinks necessary to be District Judges, and the High Court shall post one such person to each district as District Judge of that district :

Provided that the same person may, if the High Court thinks fit, be appointed to be the District Judge of two or more districts.

Section 6. Additional District Judge

(1) When the business pending before the Court of any District Judge requires the aid of an Additional Judge or Judges for its speedy disposal, the State Government may, after consultation with the High Court, appoint such Additional District Judges as may be necessary.

(2) An Additional District Judge so appointed shall discharge any of the functions of a District Judge which the High Court or the District Judge may assign to him and in the discharge of his functions he shall exercise the same powers as the District Judge.

Section 7. Assignment of functions of District Judge to Additional District Judge

The High Court or the District Judge may assign to an Additional District Judge any of the functions of the District Judge including the functions of receiving and registering cases and appeals, which, but for such assignment of functions could be instituted in the Court of District Judge and in the discharge of those functions the Additional District Judge shall, notwithstanding anything contained in the Act, exercise the same power as the District Judge.

Section 8. [1][Civil Judge]

The State Government may, from time to time, after consultation with the High Court, fix the number of [2][Civil Judges] to be appointed.

[1] Substituted for the words "Subordinate Judge" vide H.P. Act No. 14 of 2003.

[2] Substituted for the words "Subordinate Judges" vide H.P. Act No. 14 of 2003.

Section 9. District Court to be principal Civil Court of original jurisdiction

The Court of the District Judge shall be deemed to be the District Court or principal Civil Court of original jurisdiction in the district.

Section 10. Original jurisdiction of Civil Courts

Save as otherwise provided by any other law for the time being in force, the Court of the District Judge shall have jurisdiction in all original civil suits, the value of which does not exceed [1][one crore] rupees.

[1] The words "two lakh rupees" substituted for the words "fifty thousand rupees" vide H.P. Act No. 16 of 1984, the words "two lakh" substituted by the words "five lakh" vide H.P. Act No. 1 of 1995, the words"five lakh" substituted by the words "ten lakh" vide H.P. Act No. 16 of 2001, the words "fifteen lakh" substituted for the words "ten lakh" vide H.P. Act No. 4 of 2009, the words "thirty lakh" substituted for the words "fifteen lakh" vide H.P. Act No. 9 of 2014 again the words "one crore" substituted for the words "thirty lakh" vide H.P. Act No. 19 of 2022.

Section 11. Original limits of [1][Civil Judges]

Subject to the limit specified in section 10, the jurisdiction to be exercised in original civil suit as regards the value by any person appointed to be a [2][Civil Judge] shall be determined by the High Court either by including him in a class or otherwise as it thinks fit.

[1] Substituted for the words "Subordinate Judges" vide H.P. Act No. 14 of 2003.

[2] Substituted for the words "Subordinate Judge" vide H.P.Act No. 14 of 2003.

Section 12. Local limits of jurisdiction

(1) The local limits of the jurisdiction of a [1][Civil Judge] shall be such as the High Court may define.

(2) When the High Court posts a [2][Civil Judge] to a district, the local limits of the district shall, in the absence of any direction to the contrary, be deemed to be the local limits of his jurisdiction.

[1] Substituted for the words "Subordinate Judge" vide H.P.Act No. 14 of 2003.

[2] Substituted for the words "Subordinate Judge" vide H.P.Act No. 14 of 2003.

Section 13. Power to invest [1][Civil Judge] with Small Cause Court jurisdiction

The High Court may, by notification in the Official Gazette, confer, within such local limits as it thinks fit, upon any [2][Civil Judge], the jurisdiction of a Judge of a Court of Small Causes under the Provincial Small Cause Courts Act, 1887 (9 of 1887), for the trial of suits, cognizable by such Court, upto such value not exceeding two thousand rupees as it thinks fit, and may withdraw any jurisdiction so conferred.

[1] Substituted for the words "Subordinate Judge" vide H.P.Act No. 14 of 2003.
[2] Substituted for the words "Subordinate Judge" vide H.P.Act No. 14 of 2003.

Section 14. Exercise by [1][Civil Judges] of jurisdiction of District Court in certain proceedings

(1) The High Court may, by general or special order and subject to the provisions of any other law for the time being in force, authorise any [2][Civil Judge] to take cognizance of, and any District Judge to transfer to such a [3][Civil Judge] under his control, any proceedings or any class of proceedings, specified in such order under:-

(a) the Indian Succession Act, 1925 (39 of 1925),

(b) the Guardians and Wards Act, 1890 (8 of 1890), and

(c) the Provincial Insolvency Act, 1920 (5 of 1920).

(2) The District Judge may withdraw any such proceedings taken cognizance of by, or transferred to, as [4][Civil Judge] and may either himself dispose of them or transfer them to any other Court under his control competent to dispose of the same.

(3) Proceedings taken cognizance of by, or transferred to, a [5][Civil Judge], as the case may be, under this section shall be disposed of by him, subject to the rules applicable to like proceedings in the Court of the District Judge.

[1] Substituted for the words "Subordinate Judges" vide H.P. Act No. 14 of 2003.
[2] Substituted for the words "Subordinate Judge" vide H.P. Act No. 14 of 2003.
[3] Substituted for the words "Subordinate Judge" vide H.P. Act No. 14 of 2003.
[4] Substituted for the words "Subordinate Judge" vide H.P. Act No. 14 of 2003.
[5] Substituted for the words "Subordinate Judge" vide H.P. Act No. 14 of 2003.

Section 15. Place of sitting of Court

(1) The High Court may fix the place or places at which any Court under this Act is to be held.

(2) The place or places so fixed may be beyond the local limits of the jurisdiction of the Court.

(3) Except as may be otherwise provided by any order under this section, a Court under this Act may be held at any place within the local limits of its jurisdiction.

Section 16. Control of Courts

Subject to the general superintendence and control of the High Court, the District Judge shall have control over all the Civil Courts under this Act within the local limits of his jurisdiction.

Section 17. Power to distribute business

Notwithstanding anything contained in the Code of Civil Procedure (5 of 1908), every District Judge may by written order direct that any civil business cognizable by his Court and the Courts under his control shall be distributed among such Courts in such manner as he thinks fit:

Provided that no direction issued under this section shall empower any Court to exercise any powers or deal with any business beyond the limits of its jurisdiction.

Section 18. Ministerial officers of Courts

(1) The ministerial officers of the District Court other than Superintendent of the Court shall be appointed by the District Judge. The Superintendent of the District Court shall be appointed by the High Court.

(2) The Ministerial officers of Civil Courts, under the control of the District Judge, shall be appointed by the District Judge.

(3) Every appointment under this section shall be subject to such rules as the High Court with the prior approval of the Government may make in this behalf.

(4) Any order passed by a District Judge under this section shall be liable to be reversed or modified by the High Court.

Section 19. Delegation of District Judge's Powers

A District Judge may, with the previous sanction of the High Court, delegate to any [1][Civil Judge] in the district the power conferred on him by section 18 (2) of this Act to be exercised by the [2][Civil Judge] in any specified portion of the district, subject to the control of the District Court.

[1] Substituted for the words "Subordinate Judge" vide H.P. Act No. 14 of 2003.

[2] Substituted for the words "Subordinate Judge" vide H.P. Act No. 14 of 2003.

CHAPTER II APPELLATE AND REVISIONAL JURISDICTION IN CIVIL CASES

Section 20. Appeals from District Judges or Additional District Judges

(1) Save as otherwise provided by any enactment for the time being in force, an appeal from a decree or order of a District Judge or Additional District Judge exercising original jurisdiction shall lie to the High Court.

(2) An appeal shall not lie to the High Court from a decree or order of an Additional District Judge in any case, in which, if the decree or order had been made by the District Judge, an appeal would not lie to that Court.

Section 21. Appeals from [1][Civil Judges]

(1) Save as aforesaid, an appeal from decree or order of a [2][Civil Judge] shall lie-

(a) to the District Judge where the value of the original suit in which the decree or order was made did not exceed [3][sixty lakh rupees;] and

(b) to the High Court in any other case.

(2) where the function of receiving appeals which lie to the District Judge under sub-section (1) has been assigned to an Additional District Judge, the appeals may be preferred to the Additional District Judge.

(3) The High Court may by notification direct that appeals lying to the District Court from all or any of the decrees or orders passed in an original suit by any [4][Civil Judge] shall be preferred to such other [5][Civil Judge] as may be mentioned in the notification and the appeals shall thereupon be preferred accordingly and the Court of such other [6][Civil Judge] shall be deemed to be a District Court for the purposes of all appeals so preferred.

[1] Substituted for the words "Subordinate Judges" vide H.P. Act No. 14 of 2003.

[2] Substituted for the words "Subordinate Judge" vide H.P. Act No. 14 of 2003.

[3] In section 21(1)(a) the words "Twenty-five thousand rupees" substituted for "ten thousand rupees" vide H.P. Act No. 10 of 1980, effective from 5th July, 1980,the words "Twenty-five thousand rupees" substituted by the words "fifty thousand rupees" vide H.P. Act No. 16 of 1984,the words "fifty thousand" substituted by the words "two lakh " vide H.P. Act No. 1 of 1995, the words "five lakh rupees" substituted for "two lakh rupees" H.P. Act No. 4 of 2007, the words "ten lakh" substituted for the words "five lakh " vide H.P. Act No. 24 of 2009, the words "twenty lakh rupees" substituted for the words "ten lakh rupees" vide H.P. Act No. 9 of 2014 and again the words "sixty lakh rupees" substituted for the words "twenty lakh rupees" vide H.P. Act No. 19 of 2022.

[4] Substituted for the words "Subordinate Judge" vide H.P. Act No. 14 of 2003.

[5] Substituted for the words "Subordinate Judge" vide H.P. Act No. 14 of 2003.

[6] Substituted for the words "Subordinate Judge" vide H.P. Act No. 14 of 2003.

Section 21-A. Powers of the Chief Justice to transfer pending suits, appeals or proceedings to Subordinate Civil Courts

[1][The Chief Justice of the High Court of Himachal Pradesh may transfer any suit, appeal or proceedings which is or are pending before the High Court of Himachal Pradesh immediately before the commencement of the Himachal Pradesh Courts (Amendment) Act, 1994 to such a Subordinate Civil Court in Himachal Pradesh which would have jurisdiction to entertain such suit, appeal or proceedings, had such suit, appeal or proceedings been instituted or filed for the first time after such commencement.]

[1] Section 21-A added vide H.P. Act No. 10 of 1980, effective from 5th July, 1980 and subsequently renumbered as sub-section (1) and new sub-section (2) inserted vide H.P. Act 16 of 1984 and further section 21-A substituted vide H.P. Act No. 1 of 1995.

Section 22. Power to transfer to a [1][Civil Judge] appeals from other [2][Civil Judges]

(1) A District Judge may transfer any appeal pending before him from the decrees or orders of [3][Civil Judges] to any other [4][Civil Judge] under his administrative control competent to dispose of the same.

(2) The District Judge may withdraw any appeal so transferred, and either hear and dispose of it himself or transfer it to a Court under his administrative control competent to dispose of the same.

(3) Appeals transferred under this section shall be disposed of subject to the rules applicable to lie appeals when disposed of by the District Judge.

(4) The powers conferred by this section shall be exercised subject to such general or special orders as may from time to time be issued in this behalf by the High Court.

[1] Substituted for the words "Subordinate Judge" vide H.P.Act No. 14 of 2003.
[2] Substituted for the words "Subordinate Judges" vide H.P. Act No. 14 of 2003.
[3] Substituted for the words "Subordinate Judges" vide H.P. Act No. 14 of 2003.
[4] Substituted for the words "Subordinate Judge" vide H.P. Act No. 14 of 2003.

CHAPTER III SUPPLEMENTARY PROVISIONS

Section 23. Mode of conferring powers

Except as otherwise provided by this Part, any power that may be conferred by the High Court on any person under this Part may be conferred on such person either by name or by virtue of office.

Section 24. Continuance of powers of officers

Whenever any person holding an office in the service of Government who has been invested with any power under this Part throughout any local area is transferred or posted at any subsequent time to an equal or higher office of the same nature within a like local area, he shall, unless the High Court otherwise directs, or has otherwise directed, exercise the same powers in the local area to which he is so transferred or posted.

Section 25. Provisions regarding petition writers

The High Court may from time to time make rules consistent with this Act any other enactment for the time being in force:-

(a) declaring what persons shall be permitted to act as petition-writers in the Courts subordinate thereto;

(b) regulating the issue of licences to such persons, the conduct of business by them, and the scale of fees to be charged by them; and

(c) determining the authority by which breaches of such rules shall be investigated and the penalties which may be imposed.

Section 26. Control of list of holidays

(1) The High Court shall prepare a list of days to be observed in each year as holidays in Civil Courts subordinate thereto.

(2) Every such list shall be published in the Official Gazette.

Section 27. Seal

Every Court constituted under this Act shall use a seal of such form and design as are or may be prescribed by the High Court.

Section 27-A. Certain provisions to over-ride other laws

[1][The amendments made in this Act by the Himachal Pradesh Courts (Amendment) Act, 1984 shall have effect notwithstanding anything inconsistent therewith contained in sub-section (3) of section 17 of the Delhi High Court Act, 1966 and in section 23 of the State of Himachal Pradesh Act, 1970.]

[1] Section 27-A inserted vide H.P. Act No. 16 of 1984.

Section 28. Temporary vacancies of office of District Judge

In the event of absence of the District Judge or in the event of a vacancy in that office for whatever reason, the Additional District Judge or if there are more than one Additional District Judges present, the first in rank among them and in case there be no Additional District Judge present, the first in rank among the [1][Civil Judges] present, shall, in addition to his own duties, discharge the functions of the District Judge with respect to the filing of the suits and appeals, receiving pleadings, miscellaneous applications and the like, as also with respect to the distribution thereof.

[1] Substituted for the words "Subordinate Judges" vide H.P. Act No. 14 of 2003.

Section 29. Power to make rules

(1) The High Court may from time to time make rules consistent with this Act and any other law for the time being in force for the purpose of carrying into effect the provisions of this Act.

(2) In particular and without prejudice to the generality of the powers conferred by sub-section (1) such rules may provide for all or any of the following matters:-

(a) for the supervision of all Courts subordinate to the High Court and their visitation and inspection;

(b) for the translation of any paper in the High Court and the preparation of paper books for the hearing of appeals and the copying or printing of any such papers of translations and the recovery from the persons at whose instance

or on whose behalf papers are filed, of the expenses thereby incurred;

(c) the fees to be charged for processes issued by the Civil Courts, or by any officer of any such Court, and the fee payable in any suit or proceeding in any such Court by any party to such suit or proceeding in respect of the fees of the pleader of any other party to such suit or proceedings;

(d) the manner in which the proceedings of Civil Court shall be kept and recorded, the manner in which paper books for the hearing of appeals shall be prepared and the granting of copies;

(e) all matters relating to officers of Court.

Section 30. Repeal and savings

(1) The Punjab Courts Act, 1918 (6 of 1918) as in force in the areas added to Himachal Pradesh under section 5 of the Punjab Re-organisation Act, 1966 (31 of 1966) and the Himachal Pradesh (Courts) Order, 1948 as in force in the areas comprised in Himachal Pradesh immediately before 1stNovember, 1966 are hereby repealed:

(a) Provided that anything done or any action taken, courts constituted, notifications issued, rules made, powers conferred, delegations and appointments made under the said Act or the said Order shall be deemed to have been done, taken, constituted, issued and conferred under the corresponding provision of this Act;

(b) Provided further that in every enactment now in force and in every appointment order, order, rule, bye-law, notification or form made or issued thereunder, all references to the said Act, or the said Order shall be construed as referring to this Act.

(2) For the removal of doubts, it is hereby declared that all suits, appeals, revisions, applications, reviews, executions and other proceedings whatsoever pending in any of the Courts established under the Act, or the order repealed under sub-section (1) shall be continued and concluded in the same Court as if the said Court had been duly established under this Act.

Prepared by Law Maker (lawmaker.in), operated by Bitola Industries Pvt Ltd, from the official text. Free judiciary mock tests, past papers, landmark judgments and the old and new criminal laws side by side: https://www.lawmaker.in