

THE SIR COWASJEE JEHangIR BARONETCY (REPEALING) ACT, 1964.

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MAHARASHTRA ACT No. XXVI OF 1965.¹

[THE SIR COWASJEE JEHANGIR BARONETCY (REPEALING) ACT, 1964.]

[19th April 1965].

An Act to repeal the Sir Cowasjee Jehangir Baronetcy Act, 1911 ; to revoke the trusts, powers, provisions and declarations declared and expressed in that Act ; to dissolve the Corporation constituted Trustees for executing the powers and purposes of the said Act ; to vest all the property which is subject to the settlement created by the said Act and vesting in the aforesaid Corporation in Sir Cowasjee Jehangir, the present Baronet and also to make provision for matters connected with the purposes aforesaid.

XIX
1911.

WHEREAS, by the Sir Cowasjee Jehangir Baronetcy Act, 1911 (in this Act referred to as "the Baronetcy Act") certain properties belonging to Sir Cowasjee Jehangir Baronet were settled in perpetuity on himself and the heirs male of his body so as to accompany and support the title and dignity of a Baronet conferred on him by His Majesty King Edward VII, to hold to him and the heirs male of his body lawfully begotten and to be begotten ;

Bom.
XIV
of
1953.

AND WHEREAS, by that Act as amended by the Bombay Baronetcies (Amendment) Act, 1953, the Secretary to the Government of Maharashtra in the Home Department, the Official Trustee, Bombay and the Collector of Bombay, all for the time being, were created a Corporation with perpetual succession and a common seal under the style and title of "The Trustees of the Sir Cowasjee Jehangir Baronetcy" and constituted, as such Corporation, the Trustees for executing the powers and purposes of the Baronetcy Act ;

AND WHEREAS, the present Baronet has denoted to Government that the trust created under the said Act may be revoked and extinguished and the said Act repealed ;

AND WHEREAS, it is expedient to repeal the Baronetcy Act, to revoke the trusts powers, provisions and declarations therein declared and expressed, to dissolve the Corporation constituted Trustees for executing the powers and purposes of the Baronetcy Act, to vest all the properties which are subject to settlement created by that Act (including promissory notes, bonds, stocks, funds and securities, moneys and investments and the Mansion-houses and other hereditaments referred to in the Baronetcy Act as "Readymoney House" and "Fort Mansion" situate in Greater Bombay and all other lands, buildings, tenements and hereditaments, all premises wherever situate and any interest therein, which now vest in the Corporation) in Sir Cowasjee Jehangir, the present Baronet ; It is hereby enacted in the Fifteenth Year of the Republic of India as follows :—

1. (1) This Act may be called the Sir Cowasjee Jehangir Baronetcy (Repealing) Act, 1964.

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

2. (1) On the commencement of this Act the Baronetcy Act shall stand repealed ; and—

(a) the trusts, powers, provisions, declarations and purposes by and in that Act declared and expressed shall be, and are hereby, revoked and extinguished ,

Short title
and com-
mencement.

Vesting of
trust
property
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of 1911.

¹ For Statement of Objects and Reasons, see *Maharashtra Government Gazette*, 1964, [Part V, Extra., page 478.

² Second day of June 1965 (Vide G.N., L. & J.D., No. BTA. 1063-H, dated 21st May 1965.).

(b) the Corporation shall be and is hereby dissolved, and shall cease to function, and the Trustees shall cease to hold office as such Trustees ;

(c) all property, moveable and immovable (including promissory notes, bonds, stocks, funds and securities, moneys and investments and the Mansion-houses and other hereditaments in the Baronetcy Act referred to as "Readymoney House" and "Fort Mansion" situate in Greater Bombay and all other lands, buildings, tenements, hereditaments and premises wherever situate, and any interest therein) vesting in the Corporation under the Baronetcy Act, shall be deemed to be transferred to, and shall vest without further assurance in, the present Baronet Sir Cowasjee Jehangir (hereinafter referred to as "the Baronet") subject to the provisions of this Act ;

(d) all rights, liabilities and obligations of the Corporation constituted under the said Act under the style and title of "The Trustees of the Sir Cowasjee Jehangir Baronetcy" (in this Act referred to as "the Corporation") whether arising out of contract or howsoever otherwise arising, shall be deemed to be the rights, liabilities and obligations of the Baronet ;

(e) all contracts made with, and all instruments executed on behalf of, the Corporation shall be deemed to have been made with, or executed on behalf of, the Baronet and shall have effect accordingly ;

(f) in all suits and legal proceedings pending at the commencement of this Act in or to which the Corporation is a party the Baronet shall be deemed to be substituted for the Corporation.

(2) Nothing in sub-section () shall affect any right of, or any interest (including any jointures) in, the property mentioned in clause (c) of that sub-section which any person, body or authority may be entitled under the due process of law to enforce against the Baronet or his heirs and legal representatives.

Indemnity
to Corpora-
tion and
Trustees.

3. Notwithstanding anything contained in the Baronetcy Act or any law for the time being in force, the Corporation and each of the Trustees thereof who before the commencement of this Act was or has been for the time being in the office of such Trustee in pursuance of the provisions of the Baronetcy Act, the heirs, executors and administrators, estates and effects of each of such Trustees, and the successors in office of such Trustees, are hereby released and discharged jointly and severally from all accounts, suits or other legal proceedings, claims and demands whatsoever for or in relation to any failure or omission of the Corporation or the Trustees to do anything that was required to be done under the provisions of the Baronetcy Act, and from any liability for anything in good faith done or purported to have been done under or in pursuance of the provisions of that Act ; and accordingly, no suit or other legal proceeding whatsoever shall lie in any court against the Corporation or any of the said Trustees, heirs, executors, administrators, estates, effects or successors for or in respect of any such failure, omission or action.

Indemnity
to Govern-
ment and
officers.

4. No suit or other legal proceeding shall lie against the Government or any officer of the Government for anything in good faith done or purported to be done under this Act, or in pursuance of the provisions of the Baronetcy Act.