

Provided that no sentence shall be passed by a Village Judicial Council on any accused unless he has appeared either in person or by a representative, before the Village Judicial Council and the substance of his statement has been recorded in the prescribed register.

(iii) If after the service of summons upon him, all accused fails to appear either in person or by a representative, the Village Judicial Council may apply to the Sessions Judge who shall compel the accused to appear in person or by his representative before the Village Judicial Council as if he were a Court trying the case.

(iv) where an accused person has, under sub-section (iii) been compelled to appear before a Village Judicial Council, the Village Judicial Council shall forthwith take his statement and thereafter his attendance at the sharing of the case shall not be compulsory.

88.(i) Where it is provided to its satisfaction that a suit has been adjusted wholly or in part by any lawful agreement, compromise or satisfaction, the Village Judicial Council order such agreement, compromise or satisfaction to be recorded and shall pass a decree in accordance therewith, so far as it relates to the suit.

(ii) A Village Judicial Council may permit any case to be compounded:

Provided that the offence is compoundable under the code of Criminal Procedure, 1973.

89. When any party to a suit dies before a decree has been passed, the suit shall abate but a fresh suit may be brought on the same cause of action and the period during which the suit was pending shall be excluded in computing the period of limitation for the fresh suit.

90.(i) It shall be duty of a Village Judicial Council to ascertain the facts of the case or suit before it after holding an inquiry in accordance with the provision of this Regulation and the rules made thereunder.

(ii) Nothing contained in any law relating to evidence or procedure shall affect the powers of a Village Judicial Council to hold such inquiry.

(iii) After holding such inquiry a Village Judicial Council may pass such order or decree as may in its opinion seem just and equitable and such order or decree shall state the finding and record a brief statement of the reasons therefor.

91. The decision of Village Judicial Council shall be in a accordance with the opinion the majority of such members. If the members are equally divided the person presiding shall have a second or casting vote.

92.(i) In suits for money, a Village Judicial Council may in its discretion, direct payment of interest on the sum decreed at a rate not exceeding six percent per annum, from the date of the decree until the date of payment and of any fees which may be prescribed.

(ii) When a Village Judicial Council decrees the payment of sum of money in suit it may direct that it be paid by installments, without interest or with interest not exceeding the above rate.