

INTERNATIONAL COURT OF JUSTICE

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REPORTS OF JUDGMENTS,  
ADVISORY OPINIONS AND ORDERS

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RIGHT OF PASSAGE OVER  
INDIAN TERRITORY

(PORTUGAL *v.* INDIA)

ORDER OF NOVEMBER 27th, 1956

**1956**

COUR INTERNATIONALE DE JUSTICE

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RECUEIL DES ARRÊTS,  
AVIS CONSULTATIFS ET ORDONNANCES

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DROIT DE PASSAGE  
SUR TERRITOIRE INDIEN

(PORTUGAL *c.* INDE)

ORDONNANCE DU 27 NOVEMBRE 1956

This Order should be cited as follows :

*“Right of passage over Indian territory,  
Order of November 27th, 1956 : I.C.J. Reports 1956, p. 170.”*

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La présente ordonnance doit être citée comme suit :

*«Droit de passage sur territoire indien,  
Ordonnance du 27 novembre 1956 : C. I. J. Recueil 1956, p. 170.»*

Sales number  
N° de vente : **157**

INTERNATIONAL COURT OF JUSTICE

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1956  
November 27th  
General List :  
No. 32

YEAR 1956

November 27th, 1956

RIGHT OF PASSAGE OVER  
INDIAN TERRITORY  
(PORTUGAL *v.* INDIA)

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ORDER

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The President of the International Court of Justice,  
having regard to Article 48 of the Statute of the Court,  
having regard to Article 37 of the Rules of Court,

*Makes the following Order :*

Having regard to the Order of March 13th, 1956, whereby the Court fixed June 15th, 1956, as the time-limit for the filing of the Memorial of the Government of the Republic of Portugal and December 15th, 1956, as the time-limit for the filing of the Counter-Memorial of the Government of the Republic of India, and reserved the rest of the procedure for further decision ;

Whereas the Memorial of the Government of Portugal was filed within the time-limit so fixed ;

Whereas by a letter dated November 10th, 1956, a certified true copy of which was transmitted by the Registrar to the Agent for the Government of Portugal on November 12th, 1956, the Agent for the Government of India, after restating the intention of his Government to file a Preliminary Objection to the exercise of jurisdiction by the Court in this case, referred, among other con-

siderations, to exceptional difficulties which had been encountered by his Government in the preparation of its pleading and requested that the time-limit fixed by the said Order of March 13th, 1956, be extended for an additional period of not less than six months ;

Whereas by a letter dated November 26th, 1956, the Agent for the Government of Portugal, while maintaining that the request of the Government of India was not sufficiently justified, and that his Government could not agree to a postponement of the assigned time-limit for a substantial period, stated that if nevertheless a postponement for reasons beyond the control of the Government of India be imperative, the Government of Portugal was prepared to trust "the Court's discretion to make the extension as short as required by the interest of justice" ;

The President of the International Court of Justice,

After conferring with the Agents of the Parties and taking into account their respective positions,

*Decides*

To postpone to April 15th, 1957, the time-limit for the filing of the Counter-Memorial or of the Preliminary Objection of the Government of the Republic of India ;

And reserves the rest of the procedure for further decision.

Done in English and in French, the English text being authoritative, at the Peace Palace, The Hague, this twenty-seventh day of November, one thousand nine hundred and fifty-six, in three copies, one of which will be placed in the archives of the Court and the others transmitted to the Government of the Republic of Portugal and to the Government of the Republic of India, respectively.

(Signed) GREEN H. HACKWORTH,  
President.

(Signed) J. LÓPEZ OLIVÁN,  
Registrar.