The Repealing (Punjab Loans Limitation) Act, 1923

Act 3 of 1923

Keyword(s):
Time Period of Limitation, Indian Limitation Act, 1904
CONTENTS.

Sections.

1. Short title, extent and commencement.
2. Repealing of the Punjab Loans Limitation Act, 1904.
4. Saving of limitation as regards pending suits.
5. Saving of limitation as regards existing causes of action.
1923 : Pb. Act 3] REPEALING (PUNJAB LOANS LIMITATION) 835

THE REPEALING (PUNJAB LOANS LIMITATION) ACT, 1923.

Punjab Act 3 of 1923
[Received the assent of the Governor of the Punjab on the 31st March, 1923, and that of the Governor-General on the 5th May 1923 and was first published in the Punjab Gazette of the 18th May, 1923.]

<table>
<thead>
<tr>
<th>Year</th>
<th>No.</th>
<th>Short title</th>
<th>Whether repealed or otherwise affected by legislation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1923</td>
<td>3</td>
<td>The Repealing (Punjab Loans Limitation) Act, 1923</td>
<td>Amended in part, Punjab Act, 74 of 1925</td>
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<td>Amended by the Adaptation of Laws Order, 1950</td>
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</table>

Punjab Act, 3 of 1923.

An Act to repeal the Punjab Loans Limitation Act, 1904.

Whereas it is expedient to repeal the Punjab Loans Limitation Act, 1904; It is hereby enacted as follows:

1. (1) This Act may be called the Repealing (Punjab Loans Limitation) Act, 1923.

(2) It extends to "Punjab.

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4 Substituted for the words "East Punjab" (which had been inserted for the word "the Punjab" by the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948) by the Adaptation of Laws Order, 1950.
(3) It shall come into force on such date as the [State] Government may, by notification, appoint in this behalf.

2. The Punjab Loans Limitation Act, 1904, is hereby repealed.

3. Save as provided under sections 4 and 5 from the date of the commencement of this Act, any suit falling under the description of suits given in the Schedule to the Punjab Loans Limitation Act, 1904, shall be governed in so far as the point of limitation is concerned, by the provisions of the Indian Limitation Act, 1908, and the provisions of the Indian Limitation Act, 1908, shall apply accordingly.

4. Notwithstanding anything herein contained, no suit, appeal or other proceeding pending in any court at the date of the commencement of this Act, shall be dismissed on the ground that it is barred by limitation, provided that it would not have been so dismissed if the Punjab Loans Limitation Act, 1904, had been in force.

5. No suit instituted within two years of the date of the [commencement] of this Act, which would not have been barred by limitation if the Punjab Loans Limitation Act, 1904, had been in force, shall be held to be barred by limitation by reason of this Act only.

1 This Act came into force on the 15th June, 1923—see notification No. 16613, dated 1st June, 1923, in Punjab Gazette, 1923, Part I, page 486.

2 Substituted for the word “Provincial” by the Adaptation of Laws Order, 1950.

3 Substituted for the word “passing” by the Repealing (Punjab Loans Limitation) Amendment Act, 1925 (Punjab Act 7 of 1925).