



## The Punjab Custom (Power to Contest) Act, 1920

Act 2 of 1920

**Keyword(s):**

**Alienation includes any Testamentary Disposition of Property, Appointment of an Heir**

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**'THE PUNJAB CUSTOM (POWER TO CONTEST)  
ACT, 1920**

PUNJAB ACT 2 OF 1920

*[Received the assent of the Lieutenant-Governor of the Punjab on the 6th April, 1920, and that of the Governor-General on the 1st May, 1920, and was first published in the Punjab Gazette of the 28th May, 1920.]*

1	2	3	4
Year	No.	Short title	Whether repealed or otherwise affected by legislation
1920.	2	The Punjab Custom (Power to Contest) Act, 1920	Amended by the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948 (G.G.O. 40). Amended by the Adaptation of Laws Order, 1950. Extended to the territories which immediately before the 1st November, 1956, were comprised in the State of Patiala and East Punjab States Union by Punjab Act 43 of 1960 <sup>1</sup> . Amended by Haryana Adaptation of Laws (States and Concurrent Subjects) Order, 1968 <sup>4</sup> .

**An Act to restrict the power of descendants or collaterals to contest an alienation of immovable property or the appointment of an heir on the ground that such alienation or appointment is contrary to custom.**

PUNJAB ACT 2 OF 1920

Whereas it is expedient to enact certain restrictions on the power of descendants or collaterals to contest an alienation of immovable property or the appointment of an heir on the ground that such alienation or appointment is contrary to custom : And whereas the

Preamble.

1. For Statement of Objects and Reasons, see *Punjab Gazette*, 1919, Part V, pages 24-25, for Proceedings in Council, see *ibid*, 1919, Part V, pages 73-82, 424 and *ibid*, 1920, Part V, pages 103-119.
2. See *Punjab Gazette*, 1920, Part V, page 255.
3. For Statement of Objects and Reasons, see *Punjab Gazette*, (Extraordinary), 1960, page 2010.
4. For Statement of Objects and Reasons, see *Haryana Gazette*, (Extraordinary), dated, the 29th October, 1968.

previous sanction of the Governor-General has been accorded under section 79(2) of the Government of India Act, 1915, to the passing of this Act; It is hereby enacted as follows :—

Title and extent.	1. (1) This Act may be called the Punjab Custom (Power to Contest) Act, 1920.	
	(2) It extends to <sup>1</sup> [Haryana].	
Definitions.	2. In this Act—	
	"Alienation includes any testamentary disposition of property."	
	"Appointment of an heir" includes any adoption made or purporting to be made according to custom.	
Scope of Act.	3. This Act shall apply only in respect of alienations of immovable property or appointments of heirs made by persons who in regard to such alienations or appointments are governed by custom.	
Savings.	4. This Act shall not affect any right to contest any alienation or appointment of an heir made before the date on which this Act comes into force.	
Rights of females.	5. Nothing in this Act shall apply to any alienation or appointment of an heir by a female.	
Limitation on the right to contest alienations and appointments of heirs.	6. Subject to the provisions contained in section 4 and notwithstanding anything to the contrary contained in section 5, <sup>2</sup> Punjab Laws Act, 1872, no person shall contest any alienation of ancestral immovable property or any appointment of an heir to such property on the ground that such alienation or appointment is contrary to custom, unless such person is descended in male lineal descent from the great-great-grandfather of the person making the alienation or appointment.	4 of 1872.
Alienation of non-ancestral property.	7. Notwithstanding anything to the contrary contained in section 5, <sup>2</sup> Punjab Laws Act, 1872, no person shall contest any alienation of non-ancestral immovable property or any appointment of an heir to such property on the ground that such alienation or appointment is contrary to custom.	4 of 1872.

1. Substituted for the word "Punjab" by Haryana Adaptation of Laws (State and Concurrent Subjects) Order, 1968.

2. See Haryana Code, Volume I.