



The Repealing (Punjab Loans Limitation) Act, 1923

Act 3 of 1923

Keyword(s):

Time Period of Limitation, Indian Limitation Act, 1904

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CONTENTS.

SECTIONS.

1. Short title, extent and commencement.
2. Repealing of the Punjab Loans Limitation Act, 1904.
3. Revival of the Indian Limitation Act, 1908.
4. Saving of limitation as regards pending suits.
5. Saving of limitation as regards existing causes of action.

'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 published² in the Punjab Gazette of the 18th May, 1923.]

1	2	3	4
Year	No.	Short title	Whether repealed or otherwise affected by legislation
19.3 ..	3	The Repealing (Punjab Loans Limitation) Act, 1923	Amended in part, Punjab Act, 7 ^s of 1925 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

Punjab Act, 3 of 1923.

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

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

1. (1) This Act may be called the Repealing Short title, extent and commencement.
(Punjab Loans Limitation) Act, 1923.
- (2) It extends to ⁴Punjab.

¹For Statement of Objects and Reasons see *Punjab Gazette*, 1922, Part V, page 225; for Select Committee's Report see *ibid*, 1923, Part V, pages 80-81 and for Proceedings in Council see Punjab Legislative Council Debates, pages 805-08, 899 and 1508-18.

²See *Punjab Gazette* 1923, Part I, page 454.

³For Statement of Objects and Reasons see *Punjab Gazette*, 1925, Part V, page 78, and for Proceedings in Council see Punjab Legislative Council Debates, Vol. VIII-A., pages 966-68.

⁴Substituted 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 ¹such date as the ²[State] Government may, by notification, appoint in this behalf.

2. The Punjab Loans Limitation Act, 1904, is hereby repealed. 1 of 1904

Revival of the Indian Limitation Act, 1908.

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. IX of 1908

Saving of limitation as regards pending suits.

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.

Saving of limitation as regards existing cause of action.

5. No suit instituted within two years of the date of the ³[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.

¹This 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.

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

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