

THE REPEALING (PUNJAB LOANS LIMITATION)
ACT, 1923

(III of 1923)

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'THE REPEALING (PUNJAB LOANS LIMITATION) ACT, 1923

'(III of 1923)

[18 May 1923]

An

Act

to repeal the Punjab Loans Limitation Act, 1904.

Preamble. WHEREAS it is expedient to repeal the Punjab Loans Limitation Act, 1904', it is hereby enacted as follows:—

1. Short title, extent and commencement.— (1) This Act may be called the Repealing (Punjab Loans Limitation) Act, 1923.

(2) It extends to the Punjab.

(3) It shall come into force on such date as the '[Provincial Government] may, by notification', appoint in this behalf.

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 Repeal.— The Punjab Loans Limitation Act, 1904', is hereby repealed.

3. Revival of the '[*] Limitation Act, 1908.— 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 TI Limitation Act, 1908, and the provisions of the '[*] Limitation Act, 1908, shall apply accordingly.

4. Saving of limitation as regards pending suits— 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.

'The Act has been assented by the Governor on the 31" March, 1923 and by the Governor-General on the 5" May, 1923 vide Notification No. 14" May, 1923, published in the Punjab Gazette, Part I, dated May 18, 1923, p. 454.

2For Statement of Objects and Reasons see Punjab Gazette, Part V, 1922, p. 225; for Report of the Select Committee see Punjab Gazette, Part V, 1923, pp. 80-81 and for proceedings in Council see Punjab Legislative Council debates pages 805-08 899 and 1508-18.

51 of 1904.

"Substituted for the words "Local Government" by the Government of India (Adaptation of Indian Laws) Order, 1937, dated 18" March, 1937, published in Gazette of India (Extraordinary), dated April 1, 1937, pp. 75-344, s. 4 and Table of General Adaptations.

5The Act came into force on 15" June, 1923 vide Notification No. 16613, dated 1" June, 1923, published in the Punjab Gazette, Part I, dated June 8, 1923, p. 486.

°1 of 1904.

Omitted the word "Indian" by the Punjab Laws (Adaptation, Revision and Repeal) Act, 1954 (XV of 1955), vide Notification No. 825-Leg., dated 21st January, 1955, published in the Punjab Gazette (Extraordinary), dated January 21, 1955, pp. 87-108, s. 1 and Part-II of the Schedule.

*Ibid.

°Omitted the word "Indian" by the Punjab Laws (Adaptation, Revision and Repeal) Act, 1954 (XV of 1955), vide Notification No. 825-Leg., dated 21st January, 1955, published in the Punjab Gazette (Extraordinary), dated January 21, 1955, pp. 87-108, s. 1 and Part-II of the Schedule of.

5. Saving of limitation as regards existing causes of action— 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.

'Substituted for the word "passing" by the Repealing (Punjab Loans Limitation) (Amendment) Act, 1925 (VII of 1925), published in the Punjab Government Gazette, dated 19.6.1925 (w.e.f 1.3.1925), s. 2.