

THE LIMITATION ACT, 1908
(IX of 1908)

CONTENTS

1. Short title, extent and commencement
2. Definitions.
3. Dismissal of suits, etc., instituted, etc., after period of limitation
4. Where Court is closed when period expires
5. Extension of period in certain cases
6. Legal disability
7. Disability of one of several plaintiffs or applicants
8. Special exceptions
9. Continuous running of time
10. Suits against express trustees and their representatives
11. Suits on foreign contracts
12. Exclusion of time in legal proceedings
13. Exclusion of time of defendants, absence from Pakistan and certain other territories
14. Exclusion of time of proceeding *Bona fide* in Court without jurisdiction
15. Exclusion of time during which proceedings are suspended
16. Exclusion of time during which proceedings to set aside execution sale are pending
17. Effect of death before right to sue accrues
18. Effect of fraud
19. Effect of acknowledgment in writing
20. Effect of payment on account of debt or of interest on legacy
21. Agent of person under disability
22. Effect of substituting or adding new plaintiff or defendant

23. Continuing breaches and wrongs
24. Suit for compensation for act not actionable without special damage
25. Computation of time mentioned in instruments
26. Acquisition of right to easements
27. Exclusion in favour of reversioner of servient tenement
28. Extinguishment of right to property
29. Savings
30. *Repealed*
31. *Repealed*
32. *Repealed*

THE FIRST SCHEDULE

THE SECOND SCHEDULE

THE THIRD SCHEDULE

TEXT

THE LIMITATION ACT, 1908

¹(IX of 1908)

[7th August, 1908]

An Act

to Consolidate and amend the law for the Limitation of Suits, and for other purposes.

WHEREAS it is expedient to consolidate and amend the law relating to the limitation of suits, appeals and certain applications to Courts; and whereas it is also expedient to provide rules for acquiring by possession the ownership of easements and other property; It is hereby enacted as follows:—

PART I PRELIMINARY

1. Short title, extent and commencement.— (1) This Act may be called the ²[***] Limitation Act, 1908.

³[(2) It extends to the whole of Pakistan.]

(3) This section and section 31 shall come into force at once. The rest of this Act shall come into force on the first day of January, 1909.

2. Definitions.— In this Act, unless there is anything repugnant in the subject or context,—

(1) “applicant” includes any person from or through whom an applicant derives his right to apply:

⁴[(2) “bill of exchange” has the same meaning as in section 5 of the

¹For Statement of Objects and Reasons, see Gazette of India, 1908, Pt. V, p. 22 ; for Report of the Select Committee, see *ibid.*, 1908, Pt. V, p. 223 ; and for Proceedings in Council, see *ibid.*, 1908, Pt. VI, pp. 2, 13, 37 and 145.

The Act has been declared to be in force in Baluchistan by the British Baluchistan Laws Regulation, 1913 (2 of 1913), s. 3.

It has also been extended to the Leased Areas of Baluchistan, see the Leased Areas (Laws) Order, 1950 (G.G.O. 3 of 1950), and applied in the Federated Areas of Baluchistan, see Gazette of India, 1937, Pt. I, p. 1499.

It has been applied to Phulera in the Excluded Area of Upper Tanawal to the extent the Act is applicable in the N.W.F.P., see N.W.F.P. (Upper Tanawal) (Excluded Area) Laws Regulation, 1950.

It has also been extended to the Excluded Area of Upper Tanawal other than Phulera by the N.W.F.P. (Upper Tanawal) (Excluded Area) Laws Regulation, 1950 and declared to be in force in that area with effect from the 1st June, 1951, see N.W.F.P. Gazette, Ext., dated the 1st June, 1951.

Regulation No. II of 1974, has been applied to the Provincially Administered Tribal Areas of Chitral, Dir, Kalam, Swat, and Malakand Protected Area, by N.W.F.P. Regulation No. II of 1974, s. 3.

This Act was published in the Gazette of India, dated 8.8.1908, pages 175-192

²The word “Indian” omitted by the Adaptation of Central Acts and Ordinances Order, 1949 (G.G.O.4 of 1949); and published in the Gazette of Pakistan (Extraordinary), dated 28.3.1949, pages 223-283, Article 3 and Schedule.

³Substituted for the original sub-section (2) by the Central Laws (Statute Reform) Ordinance, 1960 (21 of 1960); and published in the Gazette of Pakistan (Extraordinary), dated 9.6.1960, pages 725-845, s.3 and Second Schedule (with effect from the 14th October, 1955), as amended by the Adaptation of Central Acts and Ordinances Order, 1949 (G.G.O.4 of 1949); and published in the Gazette of Pakistan (Extraordinary), dated 28.3.1949, pages 223-283, Article 3 and Schedule.

⁴Substituted for the original clause (2) by the Limitation (Amendment) Ordinance, 1980 (62 of 1980); and published in the Gazette of Pakistan (Extraordinary), Part I, dated 24.12.1980, s. 2.

Negotiable Instruments Act, 1881 (XXVI of 1881), and includes a hundi and a cheque,]

- (3) “bond” includes any instrument whereby a person obliges himself to pay money to another on condition that the obligation shall be void if a specified act is performed, or is not performed, as the case may be:
- (4) “defendant” includes any person from or through whom a defendant derives his liability to be sued:
- (5) “easement” includes a right not arising from contract, by which one person is entitled to remove and appropriate for his own profit any part of the soil belonging to another or anything growing in, or attached to, or subsisting upon, the land of another:
- (6) “foreign country” means any country other than ⁵[Pakistan ⁶[* * *]]:
- (7) “good faith”: nothing shall be deemed to be done in good faith which is not done with due care and attention:
- (8) “plaintiff” includes any person from or through whom a plaintiff derives his right to sue:
- ⁷[(9) “promissory note” has the same meaning as in the Negotiable Instruments Act, 1881 (XXVI of 1881);]
- (10) “suit” does not include an appeal or an application: and
- (11) “trustee” does not include a benamidar, a mortgagee remaining in possession after the mortgage has been satisfied, of a wrong-doer in possession without title.

PART II. LIMITATION OF SUITS, APPEALS AND APPLICATIONS.

3. Dismissal of suits, etc., instituted, etc., after period of limitation.— Subject to the provisions contained in sections 4 to 25 (inclusive), every suit instituted, appeal preferred, and application made, after the period of limitation prescribed therefore by the first schedule shall be dismissed, although limitation has not been set up as a defence.

Explanation.— A suit is instituted, in ordinary cases, when the plaint is presented to the proper officer; in the case of a pauper, when his application for leave to sue as a pauper is made; and, in the case of a claim against a company which is being wound up by the Court, when the claimant first sends in his claim to the official liquidator.

4. Where Court is closed when period expires.— Where the period of limitation prescribed for any suit, appeal or application expires on a day when the Court is closed, the suit, appeal or application may be instituted, preferred or made

⁵Substituted for the words “British India” by the Federal Laws (Revision and Declaration) Act, 1951 (XXVI of 1951); and published in the Gazette of Pakistan (Extraordinary), dated 12.5.1951, s. 4 and Third Schedule, Part I.

⁶The comma and words “,but includes an Acceding state” omitted by the Federal Laws (Revision and Declaration) Ordinance, 1981 (XXVII of 1981); and published in the Gazette of Pakistan (Extraordinary), dated 345-475, s. 2 and Second Schedule, at serial No.47.

⁷Substituted for the original clause (9), by the Limitation (Amendment) Ordinance, 1980 (62 of 1980); and published in the Gazette of Pakistan (Extraordinary), Part I, dated 24.12.1980, s. 2.

on the day that the Court re-opens.

5. Extension of period in certain cases.— Any appeal or application for ⁸[a revision or] a review of judgment or for leave to appeal or any other application to which this section may be made applicable ⁹[by or under any enactment] for the time being in force may be admitted after the period of limitation prescribed therefor, when the appellant or applicant satisfies the Court that he had sufficient cause for not preferring the appeal or making the application within such period.

Explanation.— The fact that the appellant or applicant was misled by any order, practice or judgment of the High Court in ascertaining or computing the prescribed period of limitation may be sufficient cause within the meaning of this section.

¹⁰[* * * * *]

6. Legal disability.— (1) Where a person entitled to institute a suit ¹¹[or proceeding] or make an application for the execution of a decree is, at the time from which the period of limitation is to be reckoned, a minor, or insane, or an idiot, he may institute the suit ⁴[or proceeding] or make the application within the same period after the disability has ceased, as would otherwise have been allowed from the time prescribed therefore in the third column of the first schedule ¹²[or in section 48 of the Code of Civil Procedure, 1908 (Act V of 1908)].

(2) Where such person is, at the time from which the period of limitation is to be reckoned, affected by two such disabilities, or where, before his disability has ceased, he is affected by another disability, he may institute the suit or make the application within the same period, after both disabilities have ceased, as would otherwise have been allowed from the time so prescribed.

(3) Where the disability continues up to the death of such person, his legal representative may institute the suit or make the application within the same period after the death as would otherwise have been allowed from the time so prescribed.

(4) Where such representative is at the date of the death affected by any such disability, the rules contained in sub-sections (1) and (2) shall apply.

Illustrations

(a) The right to sue for the hire of a boat accrues to A during his minority. He attains majority four years after such accrues. He may institute his suit at any time within three years from the date of his attaining majority.

(b) A right to sue accrues to Z during his minority. After the accrues, but

⁸Inserted by the Limitation (Amendment) Ordinance, 1962 (XLIII of 1962); and published in the Gazette of Pakistan (Extraordinary), dated 7.6.1962, pages 919-920, s. 2.

⁹Substituted for the words "by any enactment or rule" by the Indian Limitation (Amendment) Act, 1922 (X of 1922), dated 5.3.1922, s. 2.

¹⁰A section 5A was temporarily ins. here for a period of six months with effect from the 13th February 1948, see the Negotiable Instruments. Act (Temporary Amdt.) Ordinance, 1948 (6 of 1948), s. 3 and the Ministry of Finance Notification No. D. 2702-F/48, dated the 11th May, 1948, Gazette of Pakistan, 1948, Pt. I. p. 258.

¹¹Inserted by the Limitation (Amendment) Ordinance, 1962 (XLIII of 1962); and published in the Gazette of Pakistan (Extraordinary), dated 7.6.1962, pages 919-920, s. 3.

¹²Added by the Limitation (Amendment) Ordinance, 1962 (XLIII of 1962); and published in the Gazette of Pakistan (Extraordinary), dated 7.6.1962, pages 919-920, s. 3.

while Z is still a minor, he becomes insane. Time runs against Z from the date when his insanity and minority cease.

(c) A right to sue accrues to X during his minority. X dies before attaining majority, and is succeeded by Y, his minor son. Time runs against Y from the date of his attaining majority.

7. Disability of one of several plaintiffs or applicants.— Where one of several persons jointly entitled to institute a suit ¹³[or proceeding] or make an application for the execution of a decree is under any such disability, and a discharge can be given without the concurrence of such person, time will run against them all: but, where no such discharge can be given, time will not run as against any of them until one of them becomes capable of giving such discharge without the concurrence of the others or until the disability has ceased.

Illustrations

(a) A incurs a debt to a firm of which B, C and D are partners. B is insane, and C is a minor. D can give a discharge of the debt without the concurrence of B and C. Time runs against B, C and D.

(b) A incurs a debt to a firm of which E, F and G are partners. E and F are insane, and G is a minor. Time will not run against any of them until either E or F becomes sane, or G attains majority.

8. Special exceptions.— Nothing in section 6 or in section 7 applies to suits to enforce rights of pre-emption, or shall be deemed to extend, for more than three years from the cessation of the disability or the death of the person affected thereby, the period within which any suit must be instituted or application made.

Illustrations

(a) A, to whom a right to sue for a legacy has accrued during his minority, attains majority eleven years after such accrual. A has, under the ordinary law, only one year remaining within which to sue. But under section 6 and this section an extension of two years will be allowed him, making in all a period of three years from the date of his attaining majority, within which he may bring his suit.

(b) A right to sue for an hereditary office accrues to A who at the time is insane. Six years after the accrual A recovers his reason. A has six years, under the ordinary law, from the date when his insanity ceased within which to institute a suit. No extension of time will be given him under section 6 read with this section.

(c) A right to sue as landlord to recover possession from a tenant accrues to A, who is an idiot. A dies three years after the accrual, his idiocy continuing up to the date of his death. A's representative in interest has, under the ordinary law, nine years from the date of A's death within which to bring a suit. Section 6 read with this section does not extend that time, except where the representative is himself under disability when the representation devolves upon him.

9. Continuous running of time.— Where once time has begun to run, no

¹³Inserted by the Limitation (Amendment) Ordinance, 1962 (XLIII of 1962); and published in the Gazette of Pakistan (Extraordinary), dated 7.6.1962, pages 919-920, s. 4.

subsequent disability or inability to sue stops it:

Provided that, where letters of administration to the estate of a creditor have been granted to his debtor, the running of the time prescribed for a suit to recover the debt shall be suspended while the administration continues.

10. Suits against express trustees and their representatives.–

Notwithstanding anything hereinbefore contained, no suit-against a person in whom property has become vested in trust for any specific purpose, or against his legal representatives or assigns (not being assigns for valuable consideration), for the purpose of following in his or their hands such property, or the proceeds thereof, or for an account of such property or proceeds, shall be barred by any length of time.

¹⁴[For the purposes of this section any property comprised in a Hindu, Muhammadan or Buddhist religious or charitable endowment shall be deemed to be property vested in trust for a specific purpose, and the manager of any such property shall be deemed to be the trustee thereof.]

11. Suits on foreign contracts.– (1) Suits instituted in ¹⁵[Pakistan] on contracts entered into in a foreign country are subject to the rules of limitation contained in this Act.

(2) No foreign rule of limitation shall be a defence to a suit instituted in ¹⁶[Pakistan] on a contract entered into in a foreign country, unless the rule has extinguished the contract and the parties were domiciled in such country during the period prescribed by such rule.

**PART III.
COMPUTATION OF PERIOD OF LIMITATION.**

12. Exclusion of time in legal proceedings.– (1) In computing the period of limitation prescribed for any suit, appeal or application, the day from which such period is to be reckoned shall be excluded.

(2) In computing the period of limitation prescribed for an appeal, an application for leave to appeal and an application for a review of judgment, the day on which the judgment complained of was pronounced, and the time requisite for obtaining a copy of the decree, sentence or order appealed from or sought to be reviewed, shall be excluded.

(3) Where a decree is appealed from or sought to be reviewed, the time requisite for obtaining a copy of the judgment on which it is founded shall also be excluded.

¹⁴Inserted by the Indian Limitation (Amendment) Act, 1929 (1 of 1929); and published in the Government Gazette, Punjab and its Dependencies, Part IV, dated 22.3.1929, s. 2.

¹⁵Substituted for the words "the Province and Capital of the Federation" by the Central laws (Statute) Reform Ordinance, 1960 (21 of 1960); and published in the Gazette of Pakistan (Extraordinary), dated 9.6.1960, pages725-845, s.3 and Second Schedule (with effect from the 14th October, 1955), which had been substituted for the words "British India" by the Adaptation of Central Acts and Ordinances Order, 1949 (G.G.O.4 of 1949); and published in the Gazette of Pakistan (Extraordinary), dated 28.3.1949, pages 223-283, Article 3 and Schedule.

¹⁶Substituted for the words "the Province and Capital of the Federation" by the Central laws (Statute) Reform Ordinance, 1960 (21 of 1960); and published in the Gazette of Pakistan (Extraordinary), dated 9.6.1960, pages725-845, s.3 and Second Schedule (with effect from the 14th October, 1955), which had been substituted for the words "British India" by the Adaptation of Central Acts and Ordinances Order, 1949 (G.G.O.4 of 1949); and published in the Gazette of Pakistan (Extraordinary), dated 28.3.1949, pages 223-283, Article 3 and Schedule.

(4) In computing the period of limitation prescribed for an application to set aside an award, the time requisite for obtaining a copy of the award shall be excluded.

¹⁷[(5) For the purposes of sub-sections (2), (3) and (4), the time requisite for obtaining a copy of the decree, sentence, order, judgment or award shall be deemed to be the time intervening between the day on which an application for the copy is made and the day actually intimated to the applicant to be the day on which the copy will be ready for delivery.]

13. Exclusion of time of defendants, absence from Pakistan and certain other territories.— In computing the period of limitation prescribed for any suit, the time during which the defendant has been absent from ¹⁸[Pakistan] and from the territories beyond ¹⁹[Pakistan] under the administration of ²⁰[the ²¹[Federal Government]] ²²*[* * *] shall be excluded.

14. Exclusion of time of proceeding *Bona fide* in Court without jurisdiction.—

(1) In computing the period of limitation prescribed for any suit, the time during which the plaintiff has been prosecuting with due diligence another civil proceeding, whether in a Court of first instance or in a Court of appeal, against the defendant, shall be excluded, where the proceeding is founded upon the same cause of action and is prosecuted in good faith in a Court which, from defect of jurisdiction, or other cause of a like nature, is unable to entertain it.

(2) In computing the period of limitation prescribed for any application, the time during which the applicant has been prosecuting with due diligence another civil proceeding, whether in a Court of first instance or in a Court of appeal, against the same party for the same relief shall be excluded, where such proceeding is prosecuted in good faith in a Court which, from defect of jurisdiction, or other cause of a like nature, is unable to entertain it.

Explanation I.— In excluding the time during which a former suit or application was pending, the day on which that suit or application was instituted or made, and the day on which the proceedings therein ended, shall both be counted.

Explanation II.— For the purposes of this section, a plaintiff or an applicant resisting

¹⁷Added by the Limitation (Amendment) Act, 1991 (XIII of 1991); and published in the Gazette of Pakistan (Extraordinary), Part II, dated 6.7.1991, s.2.

¹⁸Substituted for the words “the Province and Capital of the Federation” by the Central laws (Statute) Reform Ordinance, 1960 (21 of 1960); and published in the Gazette of Pakistan (Extraordinary), dated 9.6.1960, pages725-845, s.3 and Second Schedule (with effect from the 14th October, 1955), which had been substituted for the words “British India” by the Adaptation of Central Acts and Ordinances Order, 1949 (G.G.O.4 of 1949); and published in the Gazette of Pakistan (Extraordinary), dated 28.3.1949, pages 223-283, Article 3 and Schedule.

¹⁹Substituted for the words “the Province and Capital of the Federation” by the Central laws (Statute) Reform Ordinance, 1960 (21 of 1960); and published in the Gazette of Pakistan (Extraordinary), dated 9.6.1960, pages725-845, s.3 and Second Schedule (with effect from the 14th October, 1955), which had been substituted for the words “British India” by the Adaptation of Central Acts and Ordinances Order, 1949 (G.G.O.4 of 1949); and published in the Gazette of Pakistan (Extraordinary), dated 28.3.1949, pages 223-283, Article 3 and Schedule.

²⁰Substituted for the word “the Government” by the Government of India (Adaptation of Indian Laws Order), 1937; and published in the Gazette of India (Extraordinary), dated 1.4.1937, pages 75-344, see Article 3 & First Schedule.

²¹Substituted for the words “Central Government” by the Federal Adaptation of Laws Order, 1975 (P.O. 1975); and published in the Gazette of Pakistan (Extraordinary), dated 1.8.1975, pages 435-467, Article 2 and Table of General Adaptations.

²²The words “or the Crown Representative” omitted by the Adaptation of Central Acts and Ordinances Order, 1949 (G.G.O.4 of 1949); and published in the Gazette of Pakistan (Extraordinary), dated 28.3.1949, pages 223-283, Article 3 and Schedule.

an appeal shall be deemed to be prosecuting a proceeding.

Explanation III.– For the purposes of this section, misjoinder of parties or of cause of action shall be deemed to be a cause of a like nature with defect of jurisdiction.

15. Exclusion of time during which proceedings are suspended.– (1) In computing the period of limitation prescribed for any suit or application for the execution of a decree, the institution or execution of which has been stayed by injunction or order, the time of the continuance of the injunction or order, the day on which it was issued or made, and the day on which it was withdrawn, shall be excluded.

(2) In computing the period of limitation prescribed for any suit of which notice has been given in accordance with the requirements of any enactment for the time being in force, the period of such notice shall be excluded.

16. Exclusion of time during which proceedings to set aside execution sale are pending.– In computing the period of limitation prescribed for a suit for possession by a purchaser at a sale in execution of a decree, the time during which a proceeding to set aside the sale has been prosecuted shall be excluded.

17. Effect of death before right to sue accrues.– (1) Where a person who would, if he were living, have a right to institute a suit or make an application, dies before the right accrues, the period of limitation shall be computed from the time when there is a legal representative of the deceased capable of instituting or making such suit or application.

(2) Where a person against whom, if he were living, a right to institute a suit or make an application would have accrued dies before the right accrues, the period of limitation shall be computed from the time when there is a legal representative of the deceased against whom the plaintiff may institute or make such suit or application.

(3) Nothing in sub-sections (1) and (2) applies to suits to enforce rights of pre-emption or to suits for the possession of immoveable property or of an hereditary office.

18. Effect of fraud.– Where any person having a right to institute a suit or make an application has, by means of fraud, been kept from the knowledge of such right or of the title on which it is founded, or where any document necessary to establish such right has been fraudulently concealed from him, the time limited for instituting a suit or making an application–

- (a) against the person guilty of the fraud or accessory thereto, or
- (b) against any person claiming through him otherwise than in good faith and for a valuable consideration, shall be computed from the time when the fraud first became known to the person injuriously affected thereby, or, in the case of the concealed document, when he first had the means of producing it or compelling its production.

19. Effect of acknowledgment in writing.– (1) Where, before the expiration of the period prescribed for a suit or application in respect of any property or right an acknowledgment of liability in respect of such property or right has been made in

writing signed by the party against whom such property or right is claimed, or by some person through whom he derives title or liability, a fresh period of limitation shall be computed from the time which the acknowledgment was so signed.

(2) Where the writing containing the acknowledgment is undated, oral evidence may be given of the time when it was signed; but, subject to the provisions of the ²³[****] Evidence Act, 1872²⁴, oral evidence of its contents shall not be received.

Explanation I.— For the purposes of this section an acknowledgment may be sufficient though it omits to specify the exact nature of the property or right, or avers that the time for payment, delivery, performance or enjoyment has not yet come, or is accompanied by a refusal to pay, deliver, perform or permit to enjoy, or is coupled with a claim to a set-off, or is addressed to a person other than the person entitled to the property or right.

Explanation II.— For the purposes of this section, “signed” means signed either personally or by an agent duly authorized in this behalf.

Explanation III.— For the purposes of this section an application for the execution of a decree or order is an application in respect of a right.

²⁵[**20. Effect of payment on account of debt or of interest on legacy.**— (1) Where payment on account of a debt or of interest on a legacy is made before the expiration of the prescribed period by the person liable to pay the debt or legacy, or by his duly authorised agent, a fresh period of limitation shall be computed from the time when the payment was made.]

²⁶[Provided that ²⁷[*****] an acknowledgment of the payment appears in the handwriting of, or in a writing signed by, the person making the payment.]

(2) **Effect to receipt of procedure of mortgaged land.**— Where mortgaged land is in the possession of the mortgagee, the receipt of the rent or produce of such land shall be deemed to be a payment for the purpose of sub-section (1).

Explanation.— Debt includes money payable under a decree or order of Court.

21. Agent of person under disability.— (1) The expression “agent duly authorized in this behalf,” in sections 19 and 20, shall, in the case of a person under disability, include his lawful guardian, committee or manager, or an agent duly authorised by such guardian, committee or manager to sign the acknowledgment or make the payment.

(2) **Acknowledgement or payment by one of several joint contractors, etc.**— Nothing in the said sections renders one of several joint contractors, partners,

²³The word “Indian” omitted by the Adaptation of Central Acts and Ordinances Order, 1949 (G.G.O.4 of 1949); and published in the Gazette of Pakistan (Extraordinary), dated 28.3.1949, pages 223-283, Article 3 and Schedule.

²⁴1 of 1872

²⁵Substituted for the original sub-section (1) by the Indian Limitation (Amendment) Act, 1942 (XVI of 1942), dated 30.3.1942 s. 2.

²⁶Substituted for the original proviso by the Indian Limitation (Amendment) Act, 1927 (1 of 1927), dated 18.2.1927, s. 2.

²⁷The commas and words “save in the case of payment of interest made before the 1st day of January, 1928,” omitted by the Federal Laws (Revision and Declaration) Ordinance, 1981 (XXVII of 1981); and published in the Gazette of Pakistan (Extraordinary), dated 345-475, s. 2 and Second Schedule.

executors or mortgagees chargeable by reason only of a written acknowledgment signed or of a payment made by, or by the agent of, any other or others of them.

²⁸[(3) for the purposes of the said sections—

- (a) an acknowledgment signed, or a payment made, in respect of any liability, by, or by the duly authorised agent of, any widow or other limited owner of property who is governed by the Hindu law, shall be a valid acknowledgment or payment, as the case may be, as against a reversioner succeeding to such liability; and
- (b) where a liability has been incurred by, or on behalf of, a Hindu undivided family as such, an acknowledgment or payment made by, or by the duly authorised agent of, the manager of the family for the time being shall be deemed to have been made on behalf of the whole family.]

22. Effect of substituting or adding new plaintiff or defendant.— (1) Where, after the institution of a suit, a new plaintiff or defendant is substituted or added, the suit shall, as regards him, be deemed to have been instituted when he was so made a party.

(2) Nothing in sub-section (1) shall apply to a case where a party is added or substituted owing to an assignment or devolution of any interest during the pendency of a suit or where a plaintiff is made a defendant or a defendant is made a plaintiff.

23. Continuing breaches and wrongs.— In the case of a continuing breach of contract and in the case of a continuing wrong independent of contract, a fresh period of limitation begins to run at every moment of the time during which the breach or the wrong, as the case may be, continues.

24. Suit for compensation for act not actionable without special damage.— In the case of a suit for compensation for an act which does not give rise to a cause of action unless some specific injury actually results therefrom, the period of limitation shall be computed from the time when the injury results.

Illustration

A owns the surface of a field. B owns the subsoil. B digs coal thereout without causing any immediate apparent injury to the surface, but at last the surface subsides. The period of limitation in the case of a suit by A against B runs from the time of the subsidence.

25. Computation of time mentioned in instruments.— All instruments shall, for the purposes of this Act, be deemed to be made with reference to the Gregorian calendar.

Illustrations

(a) A Hindu makes a promissory note bearing a Native date only, and payable four months after date. The period of limitation applicable to a suit on the

²⁸Sub-section (3) inserted by the Indian Limitation (Amendment) Act, 1927 (1 of 1927), dated 18.2.1927, s.3.

note runs from the expiration of four months after date computed according to the Gregorian calendar.

(b) A Hindu makes a bond, bearing a Native date only, for the repayment of money within one year. The period of limitation applicable to a suit on the bond runs from the expiration of one year after date computed according to the Gregorian calendar.

PART IV ACQUISITION OF OWNERSHIP BY POSSESSION

26. Acquisition of right to easements.— (1) Where the access and use of light or air to and for any building have been peaceably enjoyed therewith as an easement, and as of right, without interruption, and for twenty years,

and where any way or watercourse, or the use of any water, or any other easement (whether affirmative or negative) has been peaceably and openly enjoyed by any person claiming title thereto as an easement and as of right without interruption, and for twenty years,

the right to such access and use of light or air, way, watercourse, use of water, or other easement shall be absolute and indefeasible.

Each of the said periods of twenty years shall be taken to be a period ending within two years next before the institution of the suit wherein the claim to which such period relates contested.

(2) Where the property over which a right is claimed under sub-section (1) belongs to the ²⁹[Government], that sub-section shall be read as if for the words “twenty years” the words “sixty years” were substituted.

Explanation.— Nothing is an interruption within the meaning of this section, unless where there is an actual discontinuance of the possession or enjoyment by reason of an obstruction by the act of some person other than the claimant, and unless such obstruction is submitted to or acquiesced in for one year after the claimant has notice thereof and of the person making or authorizing the same to be made.

Illustrations

(a) A suit is brought in 1911 for obstructing a right of way. The defendant admits the obstruction, but denies the right of way. The plaintiff proves that the right was peaceably and openly enjoyed by him, claiming title thereto as an easement and as of right, without interruption from 1st January 1890 to 1st January 1910. The plaintiff is entitled to judgment.

(b) In a like suit the plaintiff shows that the right was peaceably and openly enjoyed by him for twenty years. The defendant proves that the plaintiff, on one occasion during the twenty years, had asked his leave to enjoy the right. The suit shall be dismissed.

27. Exclusion in favour of reversioner of servient tenement.— Where any land

²⁹The word “Government” was first substituted by the Government of India (Adaptation of Indian Laws Order), 1937; and published in the Gazette of India (Extraordinary), dated 1.4.1937, pages 75-344, see Article 3 & First Schedule, and then amended by the Central Laws (Adaptation) Order, 1961; and published in the Gazette of Pakistan (Extraordinary), dated 24.6.1961, Article 2 and Table (with effect from the 23rd March, 1956). to read as above.

or water upon, over or from which any easement has been enjoyed or derived has been held under or by virtue of any interest for life or any term of years exceeding three years from the granting thereof, the time of the enjoyment of such easement during the continuance of such interest or term shall be excluded in the computation of the period of twenty years in case the claim is, within three years next after the determination of such interest or term, resisted by the person entitled, on such determination, to the said land or water.

Illustration

A sues for a declaration that he is entitled to a right of way over B's land. A proves that he has enjoyed the right for twenty-five years; but B shows that during ten of these years C, Hindu widow, had a life interest in the land, that on C's death B became entitled to the land, and that within two years after C's death he contested A's claim to the right. The suit must be dismissed, as A, with reference to the provisions of this section, has only proved enjoyment for fifteen years.

³⁰[28. *Extinguishment of right to property.*— * * * * *]

PART V SAVINGS AND REPEALS

29. Savings.— ³¹[(1) Nothing in this Act shall affect section 25 of the contract Act, 1872³².

(2) Where any special or local law prescribes for any suit, appeal or application a period of limitation different from the period prescribed therefor by the first schedule, the provisions of section 3 shall apply, as if such period were prescribed therefor in that schedule, and for the purpose of determining any period of limitation prescribed for any suit, appeal or application by any special or local law—

- (a) the provisions contained in section 4, sections 9 to 18, and section 22 shall apply only in so far as, and to the extent to which, they are not expressly excluded by such special or local law; and
- (b) the remaining provisions of this Act shall not apply.]

³³[(3)] Nothing in this Act shall apply to suits under the Divorce Act³⁴.

³⁵[(4)] Sections 26 and 27 and the definition of "easement" in section 2 shall not apply to cases arising in territories to which the Easements Act, 1882³⁶, may for the time being extend.

³⁰Omitted by the Limitation (Amendment) Act (II of 1995); and published in the Gazette of Pakistan (Extraordinary), Part I, dated 18.10.1995, s. 2.

³¹Substituted for the original sub-section (1) by the Indian Limitation (Amendment.) Act, 1922 (X of 1922), dated 5.3.1922, s. 3.

³²IX of 1872

³³The original sub-section (2) was re-numbered as (3) by the Indian Limitation (Amendment) Act, 1922 (X of 1922), dated 5.3.1922, s. 3.

³⁴IV of 1869

³⁵The original sub-section (3) was re-numbered (4), by the Indian Limitation (Amendment) Act, 1922 (X of 1922), dated 5.3.1922, s. 3.

³⁶V of 1882

30. ³⁷[Provision for suits for which the period prescribed is shorter than that prescribed by the Indian Limitation Act, 1877.— * * * * *]

31. ³⁸[Provision for suits by certain mortgagees in territories mentioned in the Second Schedule.— * * * * *]

32. ³⁹[Repeals.— * * * * *]

³⁷Repealed by the Repealing and Amending Act, 1930 (VIII of 1930), dated 16.3.1930, s.3 and Second Schedule.

³⁸Repealed by the Repealing and Amending Act, 1930 (VIII of 1930), dated 16.3.1930, s.3 and Second Schedule.

³⁹Repealed by the Second Repealing and Amending Act, 1914 (XVII of 1914); and published in the Gazette of India, Part IV, dated 19.9.1914, s. 3 and Second Schedule.

THE FIRST SCHEDULE

(See section 3)

FIRST DIVISION : SUITS.

Description of suit.	Period of limitation.	Time from which period beings to run.
<p>1.— To contest an award of the Board of Revenue under the Waste Lands (Claims) Act, 1863 (XXII of 1863).</p> <p>2.— For compensation for doing or for omitting to do an act alleged to be in pursuance of any enactment in force for the time being in ⁴⁰[Pakistan.]</p> <p>3.— Under the Specific Relief Act, 1877 (I of 1877), section 9, to recover possession of immoveable property.</p> <p style="text-align: center;">⁴¹[* * *]</p>	<p>Thirty days.</p> <p>Ninety days.</p> <p>Six months.</p>	<p>When notice of the award is delivered to the plaintiff.</p> <p>When the act or omission takes place.</p> <p>When the dispossession occurs.</p> <p style="text-align: center;">[* * *]</p>
<p>5.— Under the summary procedure referred to in section 128 (2) (f) of the Code of Civil Procedure, 1908⁴² ⁴³[where the provision of such summary procedure does not exclude the ordinary procedure in such suits ⁴⁴[* *].</p> <p>6.— Upon a Statute, Act, Regulation or Byelaw, for a</p>	<p>⁴⁶[Part IV.—One year].</p> <p>⁴⁷[One year] ..</p>	<p>When the debt or liquidated demand becomes payable or when the property becomes recoverable.</p> <p>When the penalty or forfeiture is incurred.</p>

⁴⁰Substituted for the words “the Provinces and the Capital of the Federation” by the Central Laws (Statute Reform) Ordinance, 1960 (21 of 1960) ; and published in the Gazette of Pakistan (Extraordinary), dated 9.6.1960, pages725-845, s.3 and Second Schedule (with effect from the 14th October, 1955) which had been substituted for the words “British India” by the Adaptation of Central Acts and Ordinances Order, 1949 (G.G.O.4 of 1949); and published in the Gazette of Pakistan (Extraordinary), dated 28.3.1949, pages 223-283, Article 3 and Schedule.

⁴¹Article 4 relating to suits under the Employers and Workmen (Disputes) Act, 1860, omitted by the Repealing and Amending Act, 1937 (XX of 1937); and published in the Gazette of India, Part IV, dated 17.4.1937, pages 40-44, s.3 and Second Schedule.

⁴²V of 1908

⁴³Inserted by the Indian Limitation (Amendment) Act 1925 (XXX of 1925); and published in the Gazette of India, Part IV, dated 3.10.1925, page 59, s.2(b)(i).

⁴⁴The words “and under Order XXXVII of the said Code” omitted by the Civil Procedure and Limitation (Amendment) Ordinance, 1961 (IX of 1961); and published in the Gazette of Pakistan (Extraordinary), dated 6.3.1961, s.3

<p>penalty or forfeiture.</p> <p>7.— For the wages of a household servant, artisan or labourer ⁴⁵[* * *].</p> <p>8.—For the price of food or drink sold by the keeper of a hotel, tavern or lodging house.</p>	<p>⁴⁸[* * *]</p> <p>⁴⁹[One year]</p> <p>⁵⁰[One year]</p>	<p>When the wages accrue due.</p> <p>When the food or drink is delivered.</p>
<p>9.—For the price of lodging.</p> <p>10.—To enforce a right of pre-emption whether the right is founded on law, or general usage, or on special contract.</p> <p>11.—By a person, against whom any of the following orders has been made to establish the right which he claims to the property comprised in the order:</p> <p>(1) Order under the Code of Civil Procedure, 1908⁵¹, on a claim preferred to, or an objection made to the attachment of, property attached in execution of a</p>	<p>⁵⁴[One year]</p> <p>⁵⁵[One year].</p> <p>⁵⁶[One year].</p> <p>⁵⁷[One year].</p>	<p>When the price becomes payable.</p> <p>When the purchaser takes, under the sale sought to be impeached, physical possession of the whole of the property sold, or where the subject of the sale does not admit of physical possession, when the instrument of sale is registered.</p> <p>The date of the order.</p> <p>The date of the order.</p>

⁴⁶ Inserted by the Indian Limitation (Amendment) Act, 1925 (XXX of 1925); and published in the Gazette of India, Part IV, dated 3.10.1925, page 59, s.2(a).

⁴⁷ Substituted for the words "Six months" by the Indian Limitation (Amendment) Act, 1925 (XXX of 1925); and published in the Gazette of India, Part IV, dated 3.10.1925, page 59, s.2(b)(ii).

⁴⁵ The words "not provided for by this Schedule, Article 4" omitted by the Repealing and Amending Act, 1939 (XXXIV of 1939); and published in the Gazette of India, Part IV, dated 30.9.1939, pages 204-207, s.2 and First Schedule.

⁴⁸ The heading "Part IV.—One year" omitted, *ibid.*, s.2(c).

⁴⁹ Substituted for the word "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

⁵⁰ Substituted for the word "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

⁵¹ V of 1908

<p>decree;</p> <p>⁵²[* * * * *]</p> <p>11A.—By a person against whom an order has been made under the Code of Civil Procedure, 1908⁵³, upon an application by the holder of a decree for the possession of immoveable property or by the purchaser of such property sold in execution of a decree, complaining of resistance or obstruction to the delivery of possession thereof, or upon an application by any person dispossessed of such property in the delivery of possession thereof to the decree-holder or purchaser, to establish the right which he claims to the present possession of the property comprised in the order.</p>		
<p>12.— To set aside any of the following sales :—</p> <p>(a) sale in execution of a decree of a Civil Court;</p> <p>(b) sale in pursuance of a decree or order of a Collector or other officer of revenue;</p> <p>(c) sale for arrears of</p>	<p>⁵⁸[One year]</p>	<p>When the sale is confirmed, or would otherwise have become final and conclusive had no such suit been brought.</p>

⁵⁴Substituted for the word "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

⁵⁵Substituted for the word "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

⁵⁶Substituted for the word "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

⁵⁷Substituted for the word "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

⁵²Clause (2) omitted by the Federal Laws (Revision and Declaration) Act, 1951 (XXVI of 1951); and published in the Gazette of Pakistan (Extraordinary), dated 12.5.1951, pages 340-382, s.3 and Second Schedule, Part I.

⁵³V of 1908

⁵⁸Substituted for the word "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

<p>Government revenue, or for any demand recoverable as such arrears;.</p> <p>(d) sale of a patni taluq sold for current arrears of rent.</p> <p>Explanation.—In this article “patni” includes any intermediate tenure saleable for current arrears of rent.</p>		
<p>13.—To alter or set aside a decision or order of a Civil Court in any proceeding other than a suit.</p> <p>14.—To set aside any act or order of an officer of Government in his official capacity, not herein otherwise expressly provided for.</p> <p>15.—Against Government to set aside any attachment, lease or transfer of immoveable property by the revenue-authorities for arrears of Government revenue.</p>	<p>⁵⁹[One year].</p> <p>⁶⁰[One year].</p> <p>⁶¹[One year].</p>	<p>The date of the final decision or order in the case by a Court competent to determine it finally.</p> <p>The date of the act or order.</p> <p>When the attachment, lease or transfer is made.</p>
<p>16.—Against Government to recover money paid under protest in satisfaction of a claim made by the revenue authorities on account of arrears of revenue or on account of demands recoverable as such arrears.</p> <p>17.—Against Government for</p>	<p>⁶⁴[One year]. ..</p> <p>⁶⁵[One year]. ..</p>	<p>When the payment is made.</p> <p>The date of determining the</p>

⁵⁹Substituted for the word “Ditto” by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

⁶⁰Substituted for the word “Ditto” by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

⁶¹Substituted for the word “Ditto” by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

⁶⁴Substituted for the word “Ditto” by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

⁶⁵Substituted for the word “Ditto” by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

<p>compensation for land acquired for public purposes.</p> <p>18.—Like suit for compensation when the acquisition is not completed.</p> <p>19.—For compensation for false imprisonment.</p> <p>20.—By executors, administrators or representative under the Legal Representatives' Suits Act, 1855⁶².</p> <p>21.—By executors, administrators or representatives under the Fatal Accidents Act, 1855⁶³.</p> <p>22.—For compensation for any other injury to the person.</p>	<p>⁶⁶[One year].</p> <p>⁶⁷[One year].</p> <p>⁶⁸[One year].</p> <p>⁶⁹[One year].</p> <p>⁷⁰[One year].</p>	<p>amount of the compensation.</p> <p>The date of the refusal to complete.</p> <p>When the imprisonment ends.</p> <p>The date of the death of the person wronged.</p> <p>The date of the death of the person killed.</p> <p>When the injury is committed.</p>
<p>23.—For compensation for a malicious prosecution.</p> <p>24.—For compensation for libel.</p> <p>25.—For compensation for slander.</p>	<p>⁷¹[One year].</p> <p>⁷²[One year].</p> <p>⁷³[One year].</p>	<p>When the plaintiff is acquitted, or the prosecution is otherwise terminated.</p> <p>When the libel is published.</p> <p>When the words are spoken, or, if the words are not actionable in themselves, when the special damage complained</p>

⁶²XII of 1855

⁶³XIII of 1855

⁶⁶Substituted for the word "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

⁶⁷Substituted for the word "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

⁶⁸Substituted for the word "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

⁶⁹Substituted for the word "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

⁷⁰Substituted for the word "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

⁷¹Substituted for the word "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

⁷²Substituted for the word "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

⁷³Substituted for the word "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

<p>26.—For compensation for loss of service occasioned by the seduction of the plaintiff's servant or daughter.</p> <p>27.—For compensation for inducing a person to break a contract with the plaintiff.</p> <p>28.—For compensation for and illegal, irregular or excessive distress.</p> <p>29.—For compensation for wrongful seizure for moveable property under legal process.</p> <p>30.—Against a carrier for compensation for losing or injuring goods.</p> <p>31.—Against a carrier for compensation for non- delivery of, or delay in delivering, goods.</p>	<p>⁷⁴[One year].</p> <p>⁷⁵[One year].</p> <p>⁷⁶[One year].</p> <p>⁷⁷[One year].</p> <p>⁷⁸[One year].</p> <p>⁷⁹[One year].</p>	<p>of results.</p> <p>When the loss occurs.</p> <p>The date of the breach.</p> <p>The date of the distress.</p> <p>The date of the seizure.</p> <p>When the loss or injury occurs. When the goods ought to be delivered.</p>
<p>32.—Against one who, having a right to use property for specific purposes, perverts it to other purposes.</p> <p>33.—Under the Legal Representatives' Suits Act, 1855⁸⁰, against an executor.</p>	<p>Part V.—Two years.</p> <p>⁸¹[Two years]</p>	<p>When the perversion first becomes known to the person injured thereby.</p> <p>When the wrong complained of is done.</p>

⁷⁴Substituted for the word "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

⁷⁵Substituted for the word "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

⁷⁶Substituted for the word "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

⁷⁷Substituted for the word "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

⁷⁸Substituted for the word "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

⁷⁹Substituted for the word "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

⁸⁰XII of 1855

⁸¹Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

34.—Under the same Act against an administrator.	⁸² [Two years]	Ditto.
35.—Under the same Act against any other representative.	⁸³ [Two years]	Ditto.
36.—For compensation for any malfeasance, misfeasance or nonfeasance independent of contract and not herein specially provided for.	⁸⁴ [Two years] ..	When the malfeasance, misfeasance or nonfeasance takes place.
37.—For compensation for obstructing a way or a watercourse.	Three years.	The date of the obstruction.
38.—For compensation for diverting a water-course.	⁸⁵ [Three years]	The date of the diversion.
39.—For compensation for trespass upon immoveable property.	⁸⁶ [Three years]	The date of the trespass.
40.—For compensation for infringing copyright or any other exclusive privilege.	⁸⁹ [Three years]	The date of the infringement.
41.—To restrain waste	⁹⁰ [Three years]	When the waste begins.
42.—For compensation for injury caused by an injunction wrongfully obtained.	⁹¹ [Three years]	When the injunction ceases.
43.—Under the ⁸⁷ [Succession Act, 1925 (XXX of 1925), section 360 or section 361,] to compel a refund by a person to	⁹² [Three years]	The date of the payment or distribution.

⁸²Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

⁸³Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

⁸⁴Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

⁸⁵Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

⁸⁶Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

⁸⁷Substituted for the words "Indian Succession Act, 1865, section 320 or section 321, or under the Probate and Administration Act, 1881, section 139 or section 140" by the Repealing and Amending Act, 1930 (VIII of 1930), dated 16.3.1930, s.2 and First Schedule.

<p>whom an executor or administrator has paid a legacy or distributed assets.</p> <p>44.—By a ward who has attained majority, to set aside a transfer or property by his guardian.</p> <p>⁸⁸[* * * * *]</p>	<p>⁹³[Three years]</p>	<p>When the ward attains majority.</p>
<p>47.—By any person bound by an order respecting the possession of immoveable property made under the Code of Criminal Procedure, 1898⁹⁴,⁹⁵[* *] or by any one claiming under such person, to recover the property comprised in such order.</p> <p>48.—For specific moveable property lost, or acquired by theft, or dishonest misappropriation or conversion, or for compensation for wrongfully taking or detaining the same.</p> <p>⁹⁶[48-A.—To recover moveable property conveyed or</p>	<p>⁹⁷[Three years]</p> <p>⁹⁸[Three years]</p> <p>Three years.</p>	<p>The date of the final order in the case.</p> <p>When the person having the right to be possession of the property first learns in whose possession it is.</p> <p>When the sale becomes known</p>

⁸⁹Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

⁹⁰Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

⁹¹Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

⁹²Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

⁸⁸Articles 45 and 46 omitted by the Federal Laws (Revision and Declaration) Ordinance, 1981 (XXVII of 1981); and published in the Gazette of Pakistan (Extraordinary), dated 345-475, s. 2 and Second Schedule, at serial No.47.

⁹³Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

⁹⁴V of 1898

⁹⁵The words, commas and figures "or the Mamlatdars' Courts Act, 1906," omitted by the Adaptation of Central Acts and Ordinances Order, 1949 (G.G.O.4 of 1949); and published in the Gazette of Pakistan (Extraordinary), dated 28.3.1949, pages 223-283, Article 3 and Schedule.

⁹⁶Entries 48A and 48B inserted by the Indian Limitation (Amendment) Act, 1929 (1 of 1929) ; and published in the Government Gazette, Punjab and its Dependencies, Part IV, dated 22.3.1929, s. 3.

⁹⁷Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

<p>bequeathed in trust, deposited or pawned, and afterwards bought from the trustee, depositary or pawnee for a valuable consideration.</p> <p>48-B.—To set aside sale of moveable property comprised in a Hindu, Muhammadan or Buddhist religious or charitable endowment, made by a manager thereof for a valuable consideration.</p>	<p>Three years.</p>	<p>to the plaintiff.</p> <p>When the sale becomes known to the plaintiff.]</p>
<p>49.—For other specific moveable property, or for compensation for wrongfully taking or injuring or wrongfully detaining the same.</p> <p>50.—For the hire of animals, vehicles, boats or household furniture.</p> <p>51.—For the balance of money advanced in payment of goods to be delivered.</p> <p>⁹⁹52.—For the price of goods sold and delivered, where no fixed period of credit is agreed upon.</p> <p>¹⁰⁰53.—For the price of goods sold and delivered to be paid</p>	<p>¹⁰²[Three years]</p> <p>¹⁰³[Three years]</p> <p>¹⁰⁴[Three years]</p> <p>¹⁰⁵[Three years]</p> <p>¹⁰⁶[Three years]</p>	<p>When the property is wrongfully taken or injured, or when the detainer's possession becomes unlawful.</p> <p>When the hire becomes payable.</p> <p>When the goods ought to be delivered.</p> <p>The date of the delivery of the goods.</p> <p>When the period of credit expires.</p>

⁹⁸Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

⁹⁹For period of limitation for these and certain other suits in the Province of the Punjab, see the Punjab Loans Limitation Act, 1904 (Punjab 1 of 1904), and s.29 (1) (b) of this Act.

¹⁰⁰For period of limitation for these and certain other suits in the Province of the Punjab, see the Punjab Loans Limitation Act, 1904 (Punjab 1 of 1904), and s.29 (1) (b) of this Act.

¹⁰²Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁰³Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁰⁴Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁰⁵Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁰⁶Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

<p>for after the expiry of a fixed period of credit.</p> <p>54.—For the price of goods sold and delivered to be paid for by a bill of exchange, no such bill being given.</p> <p>55.—For the price of trees or growing crops sold by the plaintiff to the defendant where no fixed period of credit is agreed upon.</p> <p>56.—For the price of work done by the plaintiff for the defendant at his request, where no time has been fixed or payment.</p> <p>¹⁰¹57.—For money payable for money lent.</p>	<p>¹⁰⁷[Three years]</p> <p>¹⁰⁸[Three years]</p> <p>¹⁰⁹[Three years]</p> <p>¹¹⁰[Three years]</p>	<p>When the period of the proposed bill elapses.</p> <p>The date of the sale.</p> <p>When the work is done.</p> <p>When the loan is made.</p>
<p>58.—Like suit when the lender has given a cheque for the money.</p> <p>¹¹¹59.—For money lent under an agreement that it shall be payable on demand.</p> <p>60.—For money deposited under an agreement that it shall be payable on demand, including money of a customer in the hands of his banker so payable.</p> <p>¹¹²61.—For money payable to</p>	<p>¹¹⁶[Three years]</p> <p>¹¹⁷[Three years]</p> <p>¹¹⁸[Three years]</p> <p>¹¹⁹[Three years]</p>	<p>When the cheque is paid.</p> <p>When the loan is made.</p> <p>When the demand is made.</p>

¹⁰¹For period of limitation for these and certain other suits in the Province of the Punjab, see the Punjab Loans Limitation Act, 1904 (Punjab 1 of 1904), and s.29 (1) (b) of this Act.

¹⁰⁷Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁰⁸Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁰⁹Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹¹⁰Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹¹¹For period of limitation for these and certain other suits in the Province of the Punjab, see the Punjab Loans Limitation Act, 1904 (Punjab 1 of 1904), and s.29 (1) (b) of this Act.

<p>the plaintiff for money paid for the defendant.</p> <p>62.—For money payable by the defendant to the plaintiff for money received by the defendant for the plaintiff's use.</p> <p>¹¹³63.—For money payable for interest upon money due from the defendant to the plaintiff.</p> <p>¹¹⁴64.—For money payable to the plaintiff for money found to be due from the defendant to the plaintiff on accounts stated between them.</p> <p>¹¹⁵[64A.—Under Order XXXVII of the Code of Civil Procedure.</p>	<p>¹²⁰[Three years]</p> <p>¹²¹[Three years]</p> <p>¹²²[Three years]</p>	<p>When the money is paid.</p> <p>When the money is received.</p> <p>When the interest becomes due.</p> <p>When the accounts are stated in writing signed by the defendant or his agent duly authorized in this behalf, unless where the debt is, by a simultaneous agreement in writing signed as aforesaid, made payable at a future time, and then when that time arrives.</p> <p>When the debt becomes</p>
---	--	--

¹¹²For period of limitation for these and certain other suits in the Province of the Punjab, see the Punjab Loans Limitation Act, 1904 (Punjab 1 of 1904), and s.29 (1) (b) of this Act.

¹¹⁶Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹¹⁷Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹¹⁸Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹¹⁹Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹¹³For period of limitation for these and certain other suits in the Province of the Punjab, see the Punjab Loans Limitation Act, 1904 (Punjab 1 of 1904), and s.29 (1) (b) of this Act.

¹¹⁴For period of limitation for these and certain other suits in the Province of the Punjab, see the Punjab Loans Limitation Act, 1904 (Punjab 1 of 1904), and s.29 (1) (b) of this Act.

¹¹⁵Articles 64A inserted by the Civil Procedure and Limitation (Amendment) Ordinance, 1961 (IX of 1961); and published in the Gazette of Pakistan (Extraordinary), dated 6.3.1961, s.3

¹²⁰Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹²¹Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹²²Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

		payable.]
65.—For compensation for breach of a promise to do anything at a specified time, or upon the happening of a specified contingency.	¹²⁹ [Three years]	When the time specified arrives or the contingency happens.
¹²³ 66.—On a single bond, where a day is specified for payment.	¹³⁰ [Three years]	The day so specified.
¹²⁴ 67.—On a single bond, where no such day is specified.	¹³¹ [Three years]	The date of executing the bond.
¹²⁵ 68.—On a bond subject to a condition.	¹³² [Three years]	When the condition is broken.
¹²⁶ 69.—On a bill of exchange or promissory note payable at a fixed time after date.	¹³³ [Three years]	When the bill or note falls due.
¹²⁷ 70.—On a bill of exchange payable at sight or after sight, but not at a fixed time.	¹³⁴ [Three years]	When the bill is presented.
¹²⁸ 71.—On a bill of exchange accepted payable at a particular place.	¹³⁵ [Three years]	When the bill is presented at that place.

¹²³For period of limitation for these and certain other suits in the Province of the Punjab, see the Punjab Loans Limitation Act, 1904 (Punjab 1 of 1904), and s.29 (1) (b) of this Act.

¹²⁴For period of limitation for these and certain other suits in the Province of the Punjab, see the Punjab Loans Limitation Act, 1904 (Punjab 1 of 1904), and s.29 (1) (b) of this Act.

¹²⁵For period of limitation for these and certain other suits in the Province of the Punjab, see the Punjab Loans Limitation Act, 1904 (Punjab 1 of 1904), and s.29 (1) (b) of this Act.

¹²⁶For period of limitation for these and certain other suits in the Province of the Punjab, see the Punjab Loans Limitation Act, 1904 (Punjab 1 of 1904), and s.29 (1) (b) of this Act.

¹²⁷For period of limitation for these and certain other suits in the Province of the Punjab, see the Punjab Loans Limitation Act, 1904 (Punjab 1 of 1904), and s.29 (1) (b) of this Act.

¹²⁸For period of limitation for these and certain other suits in the Province of the Punjab, see the Punjab Loans Limitation Act, 1904 (Punjab 1 of 1904), and s.29 (1) (b) of this Act.

¹²⁹Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹³⁰Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹³¹Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹³²Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹³³Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹³⁴Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

<p>72.—On a bill of exchange or promissory note payable at a fixed time after sight or after demand.</p> <p>73.—On a bill of exchange or promissory note payable on demand and not accompanied by any writing restraining or postponing the right to sue.</p>	<p>¹³⁶[Three years]</p> <p>¹³⁷[Three years]</p>	<p>When the fixed time expires.</p> <p>The date of the bill or note.</p>
<p>74.—On a promissory note or bond payable by instalments.</p> <p>75.—On a promissory note or bond payable by instalments, which provides that, if default be made in payment of one or more instalments, the whole shall be due.</p> <p>¹³⁸76.—On a promissory note given by the maker to a third person to be delivered to the payee after a certain event should happen.</p> <p>¹³⁹77.—On a dishonoured foreign bill, where protest has been made and notice give.</p> <p>¹⁴⁰78.—By the payee against the drawer of a bill of exchange</p>	<p>¹⁴³[Three years]</p> <p>¹⁴⁴[Three years]</p> <p>¹⁴⁵[Three years]</p> <p>¹⁴⁶[Three years]</p> <p>¹⁴⁷[Three years]</p>	<p>The expiration of the first term of payment as to the part then payable; and for the other parts the expiration of the respective terms of payment.</p> <p>When the default is made, unless where the payee or obligee waives the benefit of the provision, and then when fresh default is made in respect of which there is not such waiver.</p> <p>The date of the delivery to the payee.</p> <p>When the notice is given.</p>

¹³⁵Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹³⁶Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹³⁷Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹³⁸For period of limitation for these and certain other suits in the Province of the Punjab, see the Punjab Loans Limitation Act, 1904 (Punjab 1 of 1904), and s.29 (1) (b) of this Act.

¹³⁹For period of limitation for these and certain other suits in the Province of the Punjab, see the Punjab Loans Limitation Act, 1904 (Punjab 1 of 1904), and s.29 (1) (b) of this Act.

¹⁴⁰For period of limitation for these and certain other suits in the Province of the Punjab, see the Punjab Loans Limitation Act, 1904 (Punjab 1 of 1904), and s.29 (1) (b) of this Act.

<p>which has been dishonoured by non-acceptance.</p> <p>¹⁴¹79.—By the acceptor of an accommodation—bill against the drawer.¹⁴²80.—Suit on a bill of exchange, promissory note or bond not herein expressly provided for.</p> <p>81.—By a surety against the principal debtor.</p>	<p>¹⁴⁸[Three years]</p> <p>¹⁴⁹[Three years]</p> <p>¹⁵⁰[Three years]</p>	<p>The date of the refusal to accept.</p> <p>When the acceptor pays the amount of the bill.</p> <p>When the bill, note or bond becomes payable.</p> <p>When the surety pays the creditor.</p>
<p>82.—By a surety against a co-surety.</p> <p>83.—Upon any other contract to indemnify.</p> <p>84.—By an attorney or vakil for his costs of a suit or a particular business, there being no express agreement as to the time when such costs are to be paid.</p> <p>85.—For the balance due on a mutual, open and current account, where there have been reciprocal demands</p>	<p>¹⁵²[Three years]</p> <p>¹⁵³[Three years]</p> <p>¹⁵⁴[Three years]</p> <p>¹⁵⁵[Three years]</p>	<p>When the surety pays any thing in excess of his own share.</p> <p>When the plaintiff is actually damnified.</p> <p>The date of the termination of the suit or business, or (Where the attorney or vakil property discontinues the suit or business) the date of such discontinuance.</p> <p>The close of the year in which the last item admitted or proved is entered in the account; such year to be computed as in the</p>

¹⁴³Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁴⁴Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁴⁵Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁴⁶Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁴⁷Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁴¹For period of limitation for these and certain other suits in the Province of the Punjab, see the Punjab Loans Limitation Act, 1904 (Punjab 1 of 1904), and s.29 (1) (b) of this Act.

¹⁴²For period of limitation for these and certain other suits in the Province of the Punjab, see the Punjab Loans Limitation Act, 1904 (Punjab 1 of 1904), and s.29 (1) (b) of this Act.

¹⁴⁸Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁴⁹Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁵⁰Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

<p>between the parties.</p> <p>86.—¹⁵¹[(a) On a policy of insurance when the sum insured in payable after proof of the death has been given to or received by the insurers.</p> <p>(b) On a policy of insurance when the sum insured is payable after proof of the loss has been given to or received by the insurers.]</p> <p>87.—By the assured to recover premia paid under a policy voidable at the election of the insurers.</p> <p>88.—Against a factor for an account.</p>	<p>¹⁵⁶[Three years]</p> <p>¹⁵⁷[Three years]</p> <p>¹⁵⁸[Three years]</p> <p>¹⁵⁹[Three years]</p>	<p>account.</p> <p>¹⁶⁰[(a)The date of the death of the deceased.</p> <p>(b) The date of the occurrence causing the loss.]</p> <p>When the insurers elect to avoid the policy.</p> <p>When the account is, during the continuance of the agency, demanded and refused or, where no such demand is made, when the agency terminates.</p>
<p>89.—By a principal against his agent for moveable property received by the latter and not</p>	<p>¹⁶¹[Three years]</p>	<p>Ditto.</p>

¹⁵²Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁵³Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁵⁴Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁵⁵Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁵¹Substituted for the original entry, by s.122 of the Insurance Act, 1938 (IV of 1938), dated 26.2.1938, as amended by the Insurance (Amendment) Act, 1941, (XIII of 1941), dated 8.4.1941, s.68.

¹⁵⁶Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁵⁷Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁵⁸Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁵⁹Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁶⁰Substituted for the original entry, by s. 122 of the Insurance Act, 1938 (4 of 1938), dated 26.2.1938, as a mended by the Insurance (Amendment) Act, 1941(XIII of 1941), dated 8.4.1941, s.68.

¹⁶¹Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

accounted for.		
90.—Other suits by principals against agents for neglect or misconduct.	¹⁶² [Three years]	When the neglect or misconduct becomes known to the plaintiff.
91.—To cancel or set aside an instrument not otherwise provided for.	¹⁶³ [Three years]	When the facts entitling the plaintiff to have the instrument cancelled or set aside become known to him.
92.—To declare the forgery of an instrument issued or registered.	¹⁶⁴ [Three years]	When the issue or registration becomes known to the plaintiff.
93.—To declare the forgery of an instrument attempted to be enforced against the plaintiff.	¹⁶⁵ [Three years]	The date of the attempt.
94.—For property which the plaintiff has conveyed while insane.	¹⁶⁶ [Three years]	When the plaintiff is restored to sanity, and has knowledge of the conveyance.
95.—To set aside a decree obtained by fraud, or for other relief on the ground of fraud.	¹⁶⁷ [Three years]	When the fraud becomes known to the party wronged.
96.—For relief on the ground of mistake.	¹⁶⁸ [Three years]	When the mistake becomes known to the plaintiff.
97.—For money paid upon an existing consideration which afterwards fails.	¹⁶⁹ [Three years]	The date of the failure.
98.—To make good out of the	¹⁷¹ [Three years]	The date of the trustee's death,

¹⁶²Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁶³Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁶⁴Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁶⁵Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁶⁶Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁶⁷Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁶⁸Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁶⁹Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

<p>general estate of a deceased trustee the loss occasioned by a breach of trust.</p> <p>99.—For contribution by a party who has paid the whole or more than his share of the amount due under a joint decree, or by a sharer in a joint estate who has paid the whole or more than his share of the amount of revenue due from himself and his co-sharers.</p> <p>100.—By a co-trustee to enforce against the estate of a deceased trustee a claim for contribution.</p> <p>101.—For a seaman’s wages.</p> <p>102.—For wages not otherwise expressly provided for by this schedule.</p> <p>103.—By a ¹⁷⁰[Muslim] for exigible dower (mu’ajjal).</p>	<p>¹⁷²[Three years]</p> <p>¹⁷³[Three years]</p> <p>¹⁷⁴[Three years]</p> <p>¹⁷⁵[Three years]</p> <p>¹⁷⁶[Three years]</p>	<p>or, if the loss has not then resulted, the date of the loss.</p> <p>The date of the payment in excess of the plaintiff’s own share.</p> <p>When the right to contribution accrues.</p> <p>The end of the voyage during which the wages are earned.</p> <p>When the wages accrue due.</p> <p>When the dower is demanded and refused or (where, during the continuance of the marriage to such demand has been made) when the marriage is dissolved by death or divorce.</p>
<p>104.—By a ¹⁷⁷[Muslim] for deferred dower (mu’wajjal).</p>	<p>¹⁷⁸[Three years]</p>	<p>When the marriage is dissolved by death or divorce.</p>

¹⁷¹ Substituted for the words “Ditto” by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁷⁰Substituted for the word “Muhammadan” by the Federal Adaptation of Laws Order, 1975 (P.O. 1975); and published in the Gazette of Pakistan (Extraordinary), dated 1.8.1975, pages 435-467, Article 2 and Table of General Adaptations.

¹⁷² Substituted for the words “Ditto” by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁷³ Substituted for the words “Ditto” by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁷⁴Substituted for the words “Ditto” by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁷⁵Substituted for the words “Ditto” by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁷⁶Substituted for the words “Ditto” by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁷⁷Substituted for the word “Muhammadan” by the Federal Adaptation of Laws Order, 1975 (P.O. 1975); and published in the Gazette of Pakistan (Extraordinary), dated 1.8.1975, pages 435-467, Article 2 and Table of General Adaptations.

105.—By a mortgagor after the mortgage has been satisfied, to recover surplus collections received by the mortgagee.	¹⁷⁹ [Three years]	When the mortgagor re-enters on the mortgaged property.
106.—For an account and a share of the profits of a dissolved partnership.	¹⁸⁰ [Three years]	The date of the dissolution.
107.—By the manager of a joint estate of an undivided family for contribution, in respect of a payment made by him on account of the estate.	¹⁸¹ [Three years]	The date of the payment.
108.—By a lessor for the value of trees cut down by his lessee contrary to the terms of the lease.	¹⁸² [Three years]	When the trees are cut down.
109.—For the profits of immoveable property belonging to the plaintiff which have been wrongfully received by the defendant.	¹⁸³ [Three years]	When the profits are received.
110.—For arrears of rent.	¹⁸⁴ [Three years]	When the arrears become due.
111.—By a vendor of immoveable property for personal payment of unpaid purchase-money.	¹⁸⁵ [Three years]	The time fixed for completing the sale, or (where the title is accepted after the time fixed for completion) the date of the acceptance.
112.—For a call by a company	¹⁸⁶ [Three years]	When the call is payable.

¹⁷⁸Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁷⁹Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁸⁰Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁸¹Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁸²Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁸³Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁸⁴Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁸⁵Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

registered under any Statute or Act.		
113.—For specific performance of a contract.	¹⁸⁸ [Three years]	The date fixed for the performance, or, if no such date is fixed, when the plaintiff has notice that performance is refused.
114.—For the rescission of a contract.	¹⁸⁹ [Three years]	When the facts entitling the plaintiff to have the contract rescinded first become known to him.
115.—For compensation for the breach of any contract, express or implied, not in writing registered and not herein specially provided for.	¹⁹⁰ [Three years]	When the contract is broken, or (where there are successive breaches) when the breach in respect of which the suit is instituted occurs, or (where the breach is continuing) when it ceases.
116.—For compensation for the breach of a contract in writing registered.	Six years	When the period of limitation would begin to run against a suit brought on a similarly contract not registered.
117.—Upon a foreign judgment as defined in the Code of Civil Procedure, 1908 ¹⁸⁷ .	¹⁹¹ [Six years]	The date of the judgment.
118.—To obtain a declaration that an alleged adoption is invalid, or never, in fact, took place.	¹⁹² [Six years]	When the alleged adoption becomes known to the plaintiff.
119.—To obtain a declaration that an adoption is valid.	¹⁹³ [Six years]	When the rights of the adopted son, as such, are interfered

¹⁸⁶Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁸⁷V of 1908

¹⁸⁸Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁸⁹Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁹⁰Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁹¹Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁹²Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁹³Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

<p>120.—Suit for which no period of limitation is provided elsewhere in this schedule.</p> <p>121.—To avoid incumbrances or under-tenures in an entire estate sold for arrears of Government revenue, or in a patni taluq or other saleable tenure sold for arrears of rent.</p>	<p>¹⁹⁴[Six years]</p> <p>¹⁹⁵[Three years]</p>	<p>with.</p> <p>When the right to sue accrues.</p> <p>When the sale becomes final and conclusive.</p>
<p>122.—Upon a judgment obtained in ¹⁹⁶[Pakistan], or a recognizance.</p> <p>123.—For a legacy or for a share of a residue bequeathed by a testator, or for a distributive share of the property of an intestate.</p> <p>124.—For possession of an hereditary office.</p> <p>125.—Suit during the life of a Hindu or ¹⁹⁷[Muslim] female by a Hindu or ¹⁹⁸[Muslim] who, if the female died at the date of instituting the suit, would be entitled to the possession of</p>	<p>Twelve years</p> <p>¹⁹⁹[Twelve years]</p> <p>²⁰⁰[Twelve years]</p> <p>²⁰¹[Twelve years]</p> <p>²⁰²[Twelve years]</p>	<p>The date of the judgment or recognizance.</p> <p>When the legacy or share becomes payable or deliverable.</p> <p>When the defendant takes possession of the office adversely to the plaintiff.</p> <p>Explanation.—An hereditary office is possessed when the profits thereof are usually received, or (if there are no</p>

¹⁹⁴ Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁹⁵ Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

¹⁹⁶ Substituted for the words "the Provinces and the Capital of the Federation" by the Central Laws (Statute Reform) Ordinance, 1960 (21 of 1960) ; and published in the Gazette of Pakistan (Extraordinary), dated 9.6.1960, pages 725-845, s.3 and Second Schedule (with effect from the 14th October, 1955) which had been substituted for the words "British India" by the Adaptation of Central Acts and Ordinances Order, 1949 (G.G.O.4 of 1949); and published in the Gazette of Pakistan (Extraordinary), dated 28.3.1949, pages 223-283, Article 3 and Schedule.

¹⁹⁷ Substituted for the word "Muhammadan" by the Federal Adaptation of Laws Order, 1975 (P.O. 1975); and published in the Gazette of Pakistan (Extraordinary), dated 1.8.1975, pages 435-467, Article 2 and Table of General Adaptations.

¹⁹⁸ Substituted for the word "Muhammadan" by the Federal Adaptation of Laws Order, 1975 (P.O. 1975); and published in the Gazette of Pakistan (Extraordinary), dated 1.8.1975, pages 435-467, Article 2 and Table of General Adaptations.

¹⁹⁹ Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

²⁰⁰ Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

²⁰¹ Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

<p>land, to have an alienation of such land made by the female declared to be void except for here life or until her remarriage.</p>		<p>profits) when the duties thereof are usually performed.</p> <p>The date of the alienation.</p>
<p>126.—By a Hindu governed by the law of the Mitakshara to set aside his father’s alienation of ancestral property.</p> <p>127.—By a person excluded from joint family property to enforce a right to share therein.</p> <p>128.—By a Hindu for arrears of maintenance.</p> <p>129.—By a Hindu for a declaration of his right to maintenance.</p> <p>130.—For the resumption or assessment of rent-free-land.</p> <p>131.—To establish a periodically recurring right.</p> <p>132.—To enforce payment of money charged upon immoveable property.</p> <p>²⁰³[Explanation.—For the purposes of this article—</p> <p>(a) the allowance and fees respectively called malikana and haqq, and</p> <p>(b) the value of any agricultural or other produce the right to receive which is</p>	<p>²⁰⁵[Twelve years]</p> <p>²⁰⁶[Twelve years]</p> <p>²⁰⁷[Twelve years]</p> <p>²⁰⁸[Twelve years]</p> <p>²⁰⁹[Twelve years]</p> <p>²¹⁰[Twelve years]</p> <p>²¹¹[Twelve years]</p>	<p>When the alienee takes possession of the property.</p> <p>When the exclusion becomes known to the plaintiff.</p> <p>When the arrears are payable.</p> <p>When the right is denied.</p> <p>When the right to resume or assess the land first accrues.</p> <p>When the plaintiff is first refused the enjoyment of the right.</p> <p>When the money sued for becomes due.</p>

²⁰²Substituted for the words “Ditto” by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

²⁰³Substituted for the original Explanation, by the Indian Limitation (Amendment) Act, 1927 (1 of 1927), dated 18.2.1927, s.4 (1).

<p>secured by a charge upon immoveable property,²⁰⁴ [and</p> <p>(c) advances secured by mortgage by deposit of title-deeds], shall be deemed to be money charged upon immoveable property.],</p>		
<p>²¹²[133.—* * *]</p> <p>134.—To recover possession of immoveable property conveyed or bequeathed in trust or mortgaged and afterwards transferred by the trustee or mortgagee for a valuable consideration.</p> <p>²¹³[134-A.—To set aside a transfer of immoveable property comprised in a Hindu,²¹⁴ [Muslim] or Buddhist religious or charitable endowment, made by a manager thereof for</p>	<p>²¹⁶[Twelve years]</p> <p>Twelve years</p> <p>Twelve years</p>	<p>[* * *]</p> <p>²¹⁷[When the transfer becomes known to the plaintiff.]</p> <p>When the transfer becomes known to the plaintiff.</p>

²⁰⁵Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

²⁰⁶Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

²⁰⁷Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

²⁰⁸Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

²⁰⁹Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

²¹⁰Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

²¹¹Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

²⁰⁴Inserted by the Transfer of Property (Amendment) Supplementary Act, 1929 (XXI of 1929); and published in the Punjab Gazette, Part IV, dated 25.10.1929, s. 9.

²¹²Article 133 omitted by the Indian Limitation (Amendment) Act, 1929 (1 of 1929); and published in the Government Gazette, Punjab and its Dependencies, Part IV, dated 22.3.1929, s. 3.

²¹³Articles 134A, 134B and 134C, inserted by the Indian Limitation (Amendment) Act, 1929 (1 of 1929); and published in the Government Gazette, Punjab and its Dependencies, Part IV, dated 22.3.1929, s. 3.

²¹⁴Substituted for the word "Muhammadan" by the Federal Adaptation of Laws Order, 1975 (P.O. 1975); and published in the Gazette of Pakistan (Extraordinary), dated 1.8.1975, pages 435-467, Article 2 and Table of General Adaptations.

<p>a valuable consideration.</p> <p>134-B.—By the manager of a Hindu, ²¹⁵[Muslim] or Buddhist religious or charitable endowment to recover possession of immoveable property comprised in the endowment which has been transferred by a previous manager for valuable consideration.</p>		<p>The death, resignation or removal of the transferor.</p>
<p>134-C.—By the manager of a Hindu, ²¹⁸[Muslim] or Buddhist religious or charitable endowment to recover possession of moveable property comprised in the endowment which has been sold by a previous manager for a valuable consideration.</p> <p>135.—Suit instituted in a Court ²¹⁹[other than a High Court] by a mortgagee for possession of immoveable property mortgaged.</p> <p>136.—By a purchaser at a private sale for possession of immoveable property sold when the vendor was out of possession at the date of the sale.</p>	<p>Twelve years</p> <p>²²⁰[Twelve years]</p> <p>²²¹[Twelve years]</p>	<p>The death, a resignation or removal of the seller.]</p> <p>When the mortgage's right to possession determine.</p> <p>When the vendor is first entitled to possession.</p>

²¹⁶Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (11 of 1923), dated 5.3.1923, s.2 and First Schedule.

²¹⁷Substituted for the words "the date of the transfer" by the Indian Limitation (Amendment) Act, 1929 (1 of 1929); and published in the Government Gazette, Punjab and its Dependencies, Part IV, dated 22.3.1929, s. 3.

²¹⁵Substituted for the word "Muhammadan" by the Federal Adaptation of Laws Order, 1975 (P.O. 1975); and published in the Gazette of Pakistan (Extraordinary), dated 1.8.1975, pages 435-467, Article 2 and Table of General Adaptations.

²¹⁸Substituted for the word "Muhammadan" by the Federal Adaptation of Laws Order, 1975 (P.O. 1975); and published in the Gazette of Pakistan (Extraordinary), dated 1.8.1975, pages 435-467, Article 2 and Table of General Adaptations.

²¹⁹Substituted for the words "not established by Royal Charter" by the Central Laws (Statute Reform) Ordinance, 1960 (21 of 1960); and published in the Gazette of Pakistan (Extraordinary), dated 9.6.1960, pages 725-845, s.3 and Second Schedule (with effect from the 14th October, 1955)

²²⁰Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

²²¹Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

<p>137.—Like suit by a purchaser at a sale in execution of a decree, when the judgment debtor was out of possession at the date of the sale.</p> <p>138.—Like suit by a purchaser at a sale in execution of a decree, when the judgment-debtor was in possession at the date of the sale.</p> <p>139.—By a landlord to recover possession from a tenant.</p>	<p>²²²[Twelve years]</p> <p>²²³[Twelve years]</p> <p>²²⁴[Twelve years]</p>	<p>When the judgment-debtor is first entitled to possession.</p> <p>The date when the sale becomes absolute.</p> <p>When the tenancy is determined.</p>
<p>140.—By a remainder man, a reversioner (other than a landlord) or a devisee, for possession of immoveable property.</p> <p>141.—Like suits by a Hindu or ²²⁵[Muslim] entitled to the possession of immoveable property on the death of a Hindu or ²²⁶[Muslim] female.</p> <p>142.—For possession of immoveable property when the plaintiff while in possession of the property, has been dispossessed or has discontinued the possession.</p> <p>143.—Like suit, when the plaintiff has become entitled by reason of any forfeiture or</p>	<p>²²⁸[Twelve years]</p> <p>²²⁹[Twelve years]</p> <p>²³⁰[Twelve years]</p> <p>²³¹[Twelve years]</p>	<p>When his estate falls into possession.</p> <p>When the female dies.</p> <p>The date of the dispossession or discontinuance.</p> <p>When the forfeiture is incurred or the condition is broken.</p>

²²²Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

²²³Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

²²⁴Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

²²⁵Substituted for the word "Muhammadan" by the Federal Adaptation of Laws Order, 1975 (P.O. 1975); and published in the Gazette of Pakistan (Extraordinary), dated 1.8.1975, pages 435-467, Article 2 and Table of General Adaptations.

²²⁶Substituted for the word "Muhammadan" by the Federal Adaptation of Laws Order, 1975 (P.O. 1975); and published in the Gazette of Pakistan (Extraordinary), dated 1.8.1975, pages 435-467, Article 2 and Table of General Adaptations.

<p>breach of condition.</p> <p>227[* * * * *]</p> <p>145.—Against a depositary or pawnee to recover moveable property deposited or pawned.</p>		<p>The date of the deposit or pawn.</p>
<p>146.— Before a ²³²[High Court] in the exercise of its ordinary original civil jurisdiction by a mortgagee to recover from the mortgage the possession of immoveable property mortgaged.</p> <p>146A.—By or on behalf of any local authority for possession of any public street or road or any part thereof from which it has been dispossessed or of which it has discontinued the possession.</p> <p>147.—By a mortgage for foreclosure or sale.</p> <p>148.—Against a mortgagee to redeem or to recover possession of immoveable property mortgaged.</p>	<p>²³³[Thirty years]</p> <p>²³⁴[Thirty years]</p> <p>²³⁵[Sixty years]</p>	<p>When any part of the principal or interest was last paid on account of the mortgage-debt.</p> <p>The date of the dispossession or discontinuance.</p> <p>When the money secured by the mortgage becomes due.</p> <p>When the right to redeem or to recover possession accrues :</p> <p>Provided that all claims to redeem arising under instruments of mortgage of</p>

²²⁸Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

²²⁹Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

²³⁰Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

²³¹Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

²²⁷Omitted by the Limitation (Amendment) Act (II of 1995); and published in the Gazette of Pakistan (Extraordinary), Part I, dated 18.10.1995, s.2.

²³²Substituted for the words "Court established by Royal Charter" by the Central Laws (Statute Reform) Ordinance, 1960 (21 of 1960); and published in the Gazette of Pakistan (Extraordinary), dated 9.6.1960, pages 725-845, s.3 and Second Schedule (with effect from the 14th October, 1955)

²³³Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

²³⁴Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

²³⁵Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

		immoveable property situate in Lower Burma which had been executed before the first day of May 1863, shall be governed by the rules of limitation in force in that Province immediately before the same day.
149.— ²³⁶ [Any suit by or on behalf of the ²³⁷ [Federal Government] or any [Provincial Government] ²³⁸ [except a suit before the ²³⁹ [Supreme Court] in the exercise of its original jurisdiction].	²⁴⁰ [Sixty years]	When the period of limitation would begin to run under this Act against a like suit by a private person.
150.—Under the Code of Criminal Procedure, 1898 ²⁴¹ , from a sentence of death passed by a Court of Session ²⁴² [or by a High Court in the exercise of its original Criminal Jurisdiction].	Seven day	The date of the sentence.
²⁴³ [* * * * *] 151.— From a decree or order of ²⁴⁴ [a High Court] in the	Twenty days Thirty days	[* * * * *] The date of the decree or

²³⁶The original words "Any suit by or on behalf of the Secretary of State for India in Council," have successively been amended by the Government of India (Adaptation of Indian Laws Order) ; and published in the Gazette of India (Extraordinary), dated 1.4.1937, pages 75-344, see Article 3 & First Schedule, and by the Adaptation of Central Acts and Ordinances Order, 1949 (G.G.O.4 of 1949); and published in the Gazette of Pakistan (Extraordinary), dated 28.3.1949, pages 223-283, Article 3 and Schedule.

²³⁷Substituted for the words "Central Government" by the Federal Adaptation of Laws Order, 1975 (P.O. 1975); and published in the Gazette of Pakistan (Extraordinary), dated 1.8.1975, pages 435-467, Article 2 and Table of General Adaptations.

²³⁸Inserted by the Indian Limitation (Amendment) Act, 1937 (XIV of 1937), assented on 13.3.1937, s.2.

²³⁹Substituted for the words "Federal Court" by the Central Laws (Adaptation) Order, 1961; and published in the Gazette of Pakistan (Extraordinary), dated 24.6.1961, Article 2 and Schedule (with effect from the 23rd March, 1956) (with effect from the 23rd March, 1956).

²⁴⁰Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

²⁴¹V of 1898

²⁴²Added by the Criminal Procedure Amendment Act, 1943 (XXVI of 1943), assented on 27.11.1943, s.8.

²⁴³Article 150A which was inserted by the Criminal Law Amendment. Act, 1923 (XII of 1923), dated 10.3.1923, s. 42 and has been omitted by the Criminal law (Extinction of Discriminatory Privileges) Act, 1949 (II of 1950), received the assent on Governor General on 13.1.1950, s.2 and Schedule.

²⁴⁴The original words "any of the High Courts of Judicature at Fort William, Madras and Bombay or the Chief Court of the Punjab or the Chief Court of Lower Burma" have successively been amended by the Repealing and Amending Act, 1930 (VIII of 1930); and published in the Punjab Gazette, Part IV, dated 11.4.1930, pages 143-144, s.2 and First Schedule, and then by the Government of India (Adaptation of Indian Laws Order), 1937; and published in the Gazette of India (Extraordinary), dated 1.4.1937, pages 75-344, see Article 3 & First Schedule; and then by the Adaptation of Central Acts and Ordinances Order, 1949 (G.G.O.4 of 1949); and published in the Gazette of Pakistan (Extraordinary), dated 28.3.1949, pages 223-283, Article 3 and Schedule, and then by the Central Laws (Statute Reform) Ordinance, 1960 (21 of 1960); and published in the Gazette of

<p>exercise of its original jurisdiction.</p> <p>152.—Under the Code of Civil Procedure, 1908²⁴⁵, to the Court of a District Judge.</p> <p>153.—Under the same Code to a High Court from an order of a Sub-ordinate Court refusing leave to appeal to ²⁴⁶[the Supreme Court.]</p> <p>154.—Under the Code of Criminal Procedure, 1898²⁴⁷, to any Court other than a High Court.</p> <p>155.—Under the same Code, to a High Court, except in the cases provided for by article 150 and article 157.</p>	<p>²⁴⁸[Thirty days]</p> <p>²⁴⁹[Thirty years]</p> <p>Sixty days</p>	<p>order.</p> <p>The date of the decree or order appealed from.</p> <p>The date of the order.</p> <p>The date of the sentence or order appealed from.</p> <p>Ditto.</p>
<p>156.— Under the Code of Civil Procedure, 1908²⁵⁰, to a High Court, except in the cases provided for by article 151 and article 153.</p> <p>157.— Under the Code of Criminal Procedure, 1898²⁵¹, from an order of acquittal.</p>	<p>Ninety days</p> <p>Six months</p>	<p>The date of the decree or order appealed from.</p> <p>The date of the order appealed from.</p>
<p>²⁵²[158.—Under the Arbitration Act, 1940²⁵³, to set aside an</p>	<p>Thirty days</p>	<p>The date of service of the</p>

Pakistan (Extraordinary), dated 9.6.1960, pages 725-845, s.3 and Second Schedule (with effect from the 14th October, 1955), to read as above.

²⁴⁵V of 1908

²⁴⁶Substituted for the words "His Majesty in Council" by the Central Laws (Adaptation) Order, 1961; and published in the Gazette of Pakistan (Extraordinary), dated 24.6.1961, Article 2 and Schedule (with effect from the 23rd March, 1956).

²⁴⁷V of 1898

²⁴⁸Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

²⁴⁹Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

²⁵⁰V of 1908

²⁵¹V of 1898

²⁵²Substituted for Article 158, by the Arbitration Act, 1940 (Act X of 1940; and published in the Gazette of India, dated 11.3.1940, pages 41-52, s.49(2) and Fourth Schedule (from 1st July, 1940), which was previously amended by the Repealing and Amending Act, 1919 (18 of 1919), dated 17.9.1919, s.2 and First Schedule.

<p>award or to get an award remitted for reconsideration.</p> <p>159.— For leave to appear and defend a suit under summary procedure referred to in section 128 (2)(f) ²⁵⁴[or under Order XXXVII] of the ²⁵⁵[Code of Civil Procedure, 1908 ²⁵⁶].</p> <p>160.— For an order under the same Code, to restore to the file an application for review rejected in consequence of the failure of the applicant to appear when the application was called on for hearing.</p>	<p>²⁵⁷[Ten days]</p> <p>Fifteen days</p>	<p>notice of filling of the award.]</p> <p>When the summons in served.</p> <p>When the application for review is rejected.</p>
<p>161.— For a review of judgment by a ²⁵⁸[***]Court of Small Causes ²⁵⁹[* * *] or by a Court invested with the jurisdiction of a ²⁶⁰[***] Court of Small Causes when exercising that jurisdiction.</p> <p>162.— For a review of judgment by ²⁶¹[a High Court] in</p>	<p>²⁶²[Fifteen days]</p> <p>Twenty days</p>	<p>The date of the decree or order.</p> <p>The date of the decree or</p>

²⁵³X of 1940

²⁵⁴Inserted by the Indian Limitation (Amendment) Act, 1925 (XXX of 1925); and published in the Gazette of India, Part IV, dated 3.10.1925, page 59, s.3.

²⁵⁵Substituted for the words "same Code" by the Arbitration Act, 1940 (Act X of 1940; and published in the Gazette of India, dated 11.3.1940, pages 41-52, s.49(2) and Fourth Schedule (from 1st July, 1940).

²⁵⁶V of 1908

²⁵⁷Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

²⁵⁸The word "provincial" omitted by the Berar Laws Act, 1941 (IV of 1941), assented on 17.3.1941, s.2 and Third Schedule (with effect from the 1st August, 1941).

²⁵⁹The parentheses and words "(other than Presidency Small Cause Court)" which were inserted *ibid.*, (with effect from the 1st August, 1941), have been omitted by the Federal Laws (Revision and Declaration) Act, 1951 (XXVI of 1951); and published in the Gazette of Pakistan (Extraordinary), dated 12.5.1951, pages 340-382, s.3 and Second Schedule, Part I.

²⁶⁰The word "provincial" omitted by the Berar Laws Act, 1941 (IV of 1941), assented on 17.3.1941, s.2 and Third Schedule (with effect from the 1st August, 1941).

²⁶¹Substituted for "any of *[the following Courts, namely] the †[High Court of East Bengal, the High Court, at Lahore] and the Chief Court of Sind".*, by the Central Laws (Statute Reform) Ordinance, 1960 (21 of 1960); and published in the Gazette of Pakistan (Extraordinary), dated 9.6.1960, pages 725-845, s.3 and Second Schedule (with effect from the 14th October, 1955), which was inserted by the Repealing and Amending Act, 1927 (X of 1927), dated 4.4.1927, s.2 and First Schedule. The original words were "High Courts of Judicature at Fort William, Madras, and Bombay or the Chief Court of the Punjab or the Chief Court of Lower Burma". The Sind Courts (Supplementary) Act, 1926 (34 of 1926) which was to come into force on the commencement of the Sind Courts Act, 1926 (Bom. 7 of 1926), directed the insertion of the words "or the Chief Court of Sind" after the word "Bombay". Though this amendment had not come into force the words "Bombay, Lahore and Rangoon and the Chief Court of Sind" were subs. for the words "and Bombay or the Chief Court of Sind or the Chief Court of the Punjab or the Chief Court of Lower Burma" by Act 10 of 1927, s.2 and First Sch. for the words "Lahore and Rangoon". the words "Lahore, Rangoon and Nagpur" were subs. by the C.P. Courts (Supplementary) Act, 1935 (8 of 1935), s.2 and Sch., and the word "Rangoon" was omitted by the Government of India (Adaptation of Indian Laws Order), 1937; and published in the Gazette of

the exercise of its original jurisdiction.		order.
<p>²⁶³[* * * * *]</p> <p>163.— By a plaintiff, for an order to set aside a dismissal for default of appearance or for failure to pay costs of service of process or to furnish security for costs.</p> <p>164.— By a defendant, for an order to set aside a decree passed ex parte.</p> <p>165.— Under the Code of Civil Procedure, 1908²⁶⁴ by a person dispossessed of immovable property, and disputing the right of the decree holder or purchaser at a sale in execution of a decree to be put into possession.</p>	<p>Thirty days</p> <p>²⁶⁵[Thirty days]</p> <p>²⁶⁶[Thirty days]</p>	<p>[* * *]</p> <p>The date of the dismissal.</p> <p>The date of the decree or where the summons was not duly served, when the applicant has knowledge of the decree.</p> <p>The date of the dispossession.</p>
<p>166.— Under the same Code to set aside a sale in execution of a decree ²⁶⁷[including any such application by a Judgment debtor.]</p> <p>167.— Complaining of</p>	<p>²⁷⁰[Thirty days]</p> <p>²⁷¹[Thirty days]</p>	<p>The date of the sale.</p> <p>The date of the resistance or</p>

India (Extraordinary), dated 1.4.1937, pages 75-344, see Article 3 & First Schedule. Lastly substituted for the words "High Courts of Judicature at Fort William, Madras, Bombay, Lahore and Nagpur" by "High Court of East Bengal, the High Court at Lahore" by the Adaptation of Central Acts and Ordinances Order, 1949 (G.G.O.4 of 1949); and published in the Gazette of Pakistan (Extraordinary), dated 28.3.1949, pages 223-283, Article 3 and Schedule.

²⁶²Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

²⁶³Article 162A inserted by the Limitation (Amendment) Ordinance, 1962 (XLIII of 1962); and published in the Gazette of Pakistan (Extraordinary), dated 7.6.1962, pages 919-920, s.5, has been omitted by the Limitation (Amendment) Act, 1965, (11 of 1965), s.2.

²⁶⁴V of 1908

²⁶⁵Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

²⁶⁶Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

²⁶⁷Added by the Indian Limitation (Amendment) Act, 1927 (1 of 1927), dated 18.2.1927, s.4 (2).

²⁷⁰Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

²⁷¹Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

<p>resistance or obstruction to delivery of possession of immoveable property decreed or sold in execution of a decree.</p> <p>168.— For the readmission of an appeal dismissed for want of prosecution.</p> <p>169.— For the re-hearing of an appeal heard ex parte.</p> <p>170.— For leave to appeal as a pauper.</p> <p>171.— Under the Code of Civil Procedure, 1908²⁶⁸, ²⁶⁹[by the legal representative of a deceased plaintiff or defendant for setting aside an order or Judgment made or pronounced in his absence].</p> <p>172.— Under the same Code by the assignee or the receiver of an insolvent plaintiff or appellant for an order to set aside the dismissal of a suit or an appeal.</p>	<p>²⁷²[Thirty days]</p> <p>²⁷³[Thirty days]</p> <p>²⁷⁴[Thirty days]</p> <p>²⁷⁵[Sixty days]</p>	<p>obstruction.</p> <p>The date of the dismissal.</p> <p>The date of the decree in appeal, or, where notice of the appeal was not duly served, when the applicant has knowledge of the decree.</p> <p>The date of the decree appealed from.</p> <p>²⁷⁶[The date of the order or judgment]</p> <p>The date of the order of dismissal.</p>
<p>173.— For a review of judgment except in the cases provided for by article</p>	<p>Ninety days</p>	<p>The date of the decree or order.</p>

²⁶⁸v of 1908

²⁶⁹ Substituted for the words “an order to set aside an abatement” by the Law Reforms Ordinance, 1972 (XII of 1972); and published in the Gazette of Pakistan (Extraordinary), dated 14.4.1972, s.2 and Schedule.

²⁷² Substituted for the words “Ditto” by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

²⁷³Substituted for the words “Ditto” by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

²⁷⁴Substituted for the words “Ditto” by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

²⁷⁵Substituted for the words “Ditto” by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

²⁷⁶ Substituted for the words “the date of the abatement” *ibid.*, s.2 and Schedule.

<p>161 and article 162.</p> <p>174.— For the issue of a notice under the same Code, to show cause why any payment made out of Court of any money payable under a decree or any adjustment of the decree should not be recorded as certified.</p> <p>175.— For payment of the amount of a decree by installments.</p> <p>176.— Under the same Code to have the legal representative of a deceased plaintiff or of a deceased appellant made a party.</p> <p>177.— Under the same Code to have the legal representative of a deceased defendant or of a deceased respondent made a party.</p> <p>²⁷⁷[178.—Under the Arbitration Act, 1940²⁷⁸, for the filling in Court of an award.</p>	<p>²⁷⁹[Ninety days]</p> <p>Six months</p> <p>²⁸⁰[Ninety days]</p> <p>²⁸¹[Ninety days]</p> <p>Ninety days</p>	<p>When the payment or adjustment is made.</p> <p>The date of the decree.</p> <p>The date of the death of the deceased plaintiff or appellant.</p> <p>The date of the death of the deceased defendant or respondent.</p> <p>The date of service of the notice of making of the award].</p>
<p>179.— By a person desiring to appeal under the ²⁸²[Code of Civil Procedure, 1908²⁸³] to ²⁸⁴[the Supreme Court] for leave to appeal.</p>	<p>²⁸⁹[Ninety days]</p>	<p>The date of the decree appealed from.</p>

²⁷⁷Substituted for the original Art. 178 by the Arbitration Act, 1940 (Act X of 1940; and published in the Gazette of India, dated 11.3.1940, pages 41-52, s.49(2) and Fourth Schedule (from 1st July, 1940) .

²⁷⁸X of 1940

²⁷⁹Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

²⁸⁰Substituted for the word "Ditto" by the Indian Limitation and Code of Civil Procedure (Amendment) Act, 1920 (XXVI of 1920), dated 2.9.1920, s.2.

²⁸¹Substituted for the word "Ditto" by the Indian Limitation and Code of Civil Procedure (Amendment) Act, 1920 (XXVI of 1920), dated 2.9.1920, s.2.

²⁸²Substituted for the words "same Code" by the Arbitration Act, 1940 (Act X of 1940; and published in the Gazette of India, dated 11.3.1940, pages 41-52, s.49(2) and Fourth Schedule (from 1st July, 1940) .

²⁸³V of 1908

²⁸⁴Substituted for the words "His Majesty in Council" (with effect from the 23rd March, 1956) by the Central Laws (Adaptation) Order, 1961; and published in the Gazette of Pakistan (Extraordinary), dated 24.6.1961, Article 2 and Schedule (with effect from the 23rd March, 1956).

<p>180.— By a purchaser of immoveable property at a sale in execution of a decree for delivery of possession.</p> <p>181.— Applications for which no period of limitation is provided elsewhere in this schedule or by section 48 of the Code of Civil Procedure, 1908²⁸⁵.</p> <p>²⁸⁶[* * *]</p> <p>183.— To enforce a judgment, decree or order of any ²⁸⁷[High Court] in the exercise of its ordinary original civil jurisdiction, or an order of ²⁸⁸[the supreme Court].</p>	<p>Three years</p> <p>²⁹⁰[Three years]</p> <p>²⁹¹[Six years]</p>	<p>When the sale becomes absolute.</p> <p>When the right to apply accrues.</p> <p>[* * *]</p> <p>When a present right to enforce the judgment, decree or order accrues to some person capable of releasing the right :</p>
		<p>Provided that when the judgment, decree or order has been revived, or some part of the principal money secured thereby, or some interest on such money has been paid, or some acknowledgment of the right thereto has been given in writing signed by the person liable to pay such principal or interest or his agent, to the person entitled thereto or his agent, the twelve years shall be computed from the date of such revivor, payment or</p>

²⁸⁹Substituted for the word "Ditto" by the Indian Limitation and Code of Civil Procedure (Amendment) Act, 1920 (XXVI of 1920), dated 2.9.1920, s.2.

²⁸⁵v of 1908

²⁸⁶Article 182 omitted by the Law Reforms Ordinance, 1972 (12 of 1972) s.2 and Sch., which was previously amended by the Limitation (Amendment) Ordinance, 1962 (XLIII of 1962); and published in the Gazette of Pakistan (Extraordinary), dated 7.6.1962, pages 919-920, s.5.

²⁸⁷Substituted for the words "Court established by Royal Charter" by the Central Laws (Statute Reform) Ordinance, 1960 (21 of 1960) ; and published in the Gazette of Pakistan (Extraordinary), dated 9.6.1960, pages 725-845, s.3 and Second Schedule (with effect from the 14th October, 1955)

²⁸⁸Substituted for the words "His Majesty in Council" (with effect from the 23rd March, 1956) by the Central Laws (Adaptation) Order, 1961; and published in the Gazette of Pakistan (Extraordinary), dated 24.6.1961, Article 2 and Schedule (with effect from the 23rd March, 1956)

²⁹⁰Substituted for the words "Ditto" by the Repealing and Amending Act, 1923 (XI of 1923); and published in the Gazette of India, Part IV, dated 10.3.1923, s.2 and First Schedule.

²⁹¹Substituted for the words "Twelve years" by the Law Reforms Ordinance, 1972 (XII of 1972); and published in the Gazette of Pakistan (Extraordinary), dated 14.4.1972, s.2 and Schedule.

		acknowledgment or the latest of such revivors, payments or acknowledgments, as the case may be.
--	--	---

THE SECOND SCHEDULE

²⁹²[TERRITORIES REFERRED TO IN SECTION 31.]

—

THE THIRD SCHEDULE

²⁹³[ENACTMENTS REPEALED.]

—

²⁹²Repealed by the Repealing and Amending Act, 1930 (VIII of 1930); and published in the Punjab Gazette, Part IV, dated 11.4.1930, pages 143-144, s.3 and Second Schedule.

²⁹³Repealed by the Second Repealing and Amending Act, 1914 (XVII of 1914) ; and published in the Gazette of India, Part IV, dated 19.9.1914, s. 3 and Second Schedule.