

Puducherry Limitation (Repeal of Local Laws) Act, 1994

PUDUCHERRY

India

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Act 15 of 1994

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Puducherry Limitation (Repeal of Local Laws) Act, 1994(Act No. 15 of 1994)Last Updated 27th December, 2019[Dated 03.01.1995]An Act to repeal the local laws relating to limitation in force in the Union territory of Puducherry.Be it enacted by the Legislative Assembly of the Union territory of Puducherry in the Forty-fifth Year of the Republic of India as follows: -

1. Short title, extent and commencement.

(1)This Act may be called the Puducherry Limitation (Repeal of Local Laws) Act, 1994.(2)It shall extend to the whole of the Union territory of Puducherry.(3)[It shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.] [This Act came into force w.e.f 01.03.1995 vide Notification published in the EG Pt-II No.16 dated 28.02.1995.]

2. Definitions.

- In this Act, unless the context otherwise requires, -(i)"Government" means the Administrator appointed by the President under article 239 of the Constitution; and(ii)"local law" means any Act, Ordinance, Regulation, rule, order, bye-law, decree or other provisions (by whatever name called) having the force of law which have been continued to be in force by virtue of sub-section (1) of section 4 of the Puducherry Administration Act, 1962.

3. Repeal of the local laws relating to limitation.

- All local laws in force in the Union territory of Puducherry or any area thereof, corresponding to the Limitation Act, 1963 (Central Act 31 of 1963) (hereinafter referred to as the Limitation Act) shall stand repealed from the date of coming into force of this Act.

4. Savings.

- Notwithstanding anything contained in this Act, -(a)any suit for which the period of limitation prescribed in the Limitation Act is shorter than the period of limitation prescribed by the local laws may be instituted -(i)within such shorter period or within a period of one year next after the commencement of this Act, whichever is longer, or(ii)within the period prescribed for such suit by the local laws, whichever period expires earlier; and(b)any appeal or application for which the period of limitation prescribed under the Limitation Act is shorter than the period of limitation prescribed by the local laws may be preferred or made,-(i)within such shorter period or within a period of ninety days next after the commencement of this Act, whichever is longer, or(ii)within the period prescribed for such appeal or application by the local laws, whichever period expires earlier.

5. Provisions as to bar of pending suits.

- Nothing in this Act shall, -(a)enable any suit, appeal or application to be instituted, preferred or made, for which the period of limitation prescribed by the local laws expired before the commencement of this Act; or(b)after any suit, appeal or application instituted, preferred or made before, and pending at, such commencement.Explanation. - Any suit, appeal or application which has been filed but which has been returned for resubmission after rectification of defects shall not, for the purposes of the foregoing clause, be deemed to be a suit, appeal or as the case may be, application instituted, preferred or made before and pending at the commencement of this Act.