

the said period, then, notwithstanding anything contained in the said Act, the period of limitation in respect of such suit shall extend up to the 31st day of December, 1970.

STATE AMENDMENTS

The extended period of limitation under section 3 of the Public Wakfs (Extension of Limitation) Act, 1959 in its application to the different States is as under:

Sl. No.	States	Extended period of limitation
1.	Bihar	31st December, 1985, vide Bihar Act No. 65 of 1982, section 2 (with retrospective effect)
2.	Union Territory of Delhi	31st December, 1985, vide Act NO. 39 of 1982, section 2 (w.e.f. 1st January, 1981)
3.	Haryana	31st December, 1975, vide Haryana Act 4 of 1975, section 3.
4.	Himachal Pradesh	31st December, 1978, vide H.P. Act No. 13 of 1978, section 2 (w.e.f. 1st January, 1975)
5.	Madhya Pradesh	31st December, 1983, vide M.P. Act No. 22 of 1982, section 2 (w.e.f. 31st December, 1982)
6.	Orissa	31st December, 1981, vide Orissa Act No. 12 of 1982, section 2 (w.e.f. 1st January, 1982)
7.	Rajasthan	31st December, 1980, vide Rajasthan Act No. 21 of 1978, section 2 (w.e.f. 1st January, 1975)
8.	West Bengal	31st December, 1976, vide West Bengal Act No. 33 of 1972, section 3 (w.e.f. 1st January, 1971)

4. Repeal and Saving.—(1) The Public Wakfs (Extension) of Limitation Ordinance, 1959 (2 of 1959), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under this Act as if this Act had commenced on the 20th day of July, 1959.

APPENDIX 4

The Public Wakfs (Extension) of Limitation Act, 1959

(ACT NO. 29 OF 1959)

An Act to extend the period of limitation in certain cases for suits to recover possession of immovable property forming part of public wakfs

[1st September, 1959]

Be it enacted by Parliament in the Tenth Year of the Republic of India as follows:

1. Short title and extent.—(1) This Act may be called the Public Wakfs (Extension of Limitation) Act, 1959.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

2. Definition.—In this Act, "public wakf" means the permanent dedication by a person professing Islam of any immovable property for any purpose recognised by Muslim Law as a public purpose of a pious, religious or charitable nature.

3. Extension of period of limitation in certain cases for suit to recover possession of immovable property forming part of public wakfs.—Where a person is entitled to institute a suit of the description referred to in Article 142 or Article 144 of the First Schedule to the Indian Limitation Act, 1908 (9 of 1908)¹ for possession of any immovable property forming part of a public wakf or any interest therein, has been dispossessed, has discontinued the possession at any time after the 14th day of August, 1947, and before the 7th day of May, 1954, or, as the case may be, the possession of the defendant in such a suit has become adverse to such person at any time during

1 See now the Limitation Act, 1963.