

*Repealed by Act 36 of 1952.*

**THE DISPLACED PERSONS (INSTITUTION OF SUITS  
AND LEGAL PROCEEDINGS) AMENDMENT ACT, 1950.**

**No. LXVIII OF 1950.**



An Act to amend the Displaced Persons (Institution of Suits) Act, 1948, and the Displaced Persons (Legal Proceedings) Act, 1949.

[8th December, 1950]

**B**E it enacted by Parliament as follows:—

**1. Short title.**—This Act may be called the Displaced Persons (Institution of Suits and Legal Proceedings) Amendment Act, 1950.

**2. Amendment of section 1, Act XLVII of 1948.**—In sub-section (2) of section 1 of the Displaced Persons (Institution of Suits) Act, 1948 (hereinafter referred to as the said Act), for the words and letter “Part B States” the words “the State of Jammu and Kashmir” shall be substituted.

**3. Amendment of section 2, Act XLVII of 1948.**—In section 2 of the said Act, for the words “for a period of three years only” the words, figures and letters “only up to the 31st day of March, 1952” shall be substituted.

**4. Substitution of new section for section 8 in Act XLVII of 1948.**—For section 8 of the said Act, the following section shall be substituted, namely:—

“8. *Extension of period of limitation.*—Notwithstanding anything contained in section 3 of the Indian Limitation Act, 1908 (IX of 1908), or in any special or local law, any suit or other legal proceeding by a displaced person—

- (a) where such suit or other legal proceeding is instituted in pursuance of section 4 and the period of limitation expires or has expired on or after the 14th day of August, 1947, or
- (b) where such suit or other legal proceeding is instituted otherwise than in pursuance of section 4 in respect of a cause of action which arises or has arisen in a place now situate within the territories of Pakistan and the period of limitation expires after the commencement of the Displaced Persons (Institution of Suits and Legal Proceedings) Amendment Act, 1950,

may be instituted at any time before the date of expiry of this Act.”

**5. Amendment of section 1, Act XXV of 1949.**—In sub-section (2) of section 1 of the Displaced Persons (Legal Proceedings) Act, 1949, for the words and letter “Part B States” the words “the State of Jammu and Kashmir” shall be substituted.

**6. Amendment of section 8, Act XXV of 1949.**—Section 8 of the Displaced Persons (Legal Proceedings) Act, 1949, shall be renumbered as sub-section (1) thereof and after sub-section (1) as so renumbered, the following sub-section shall be inserted, namely:—

“(2) In particular and without prejudice to the generality of the foregoing provision, the expiry of this Act shall not affect the power of a

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court to grant any relief specified in section 4 in any suit or other legal proceeding, in respect of which the period of limitation has been extended under section 8 of the Displaced Persons (Institution of Suits) Act, 1948 (XLVII of 1948), and such relief may be granted as if this Act had not expired."

**7. Repeal and savings.**—(1) If immediately before the commencement of this Act, there is in force in any of the Part B States any law corresponding to the Displaced Persons (Institution of Suits) Act, 1948 (XLVII of 1948), or the Displaced Persons (Legal Proceedings) Act, 1949 (XXV of 1949), such corresponding law is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken in the exercise of any power conferred by or under such corresponding law shall be deemed to have been done or taken in the exercise of the powers conferred by or under the Displaced Persons (Institution of Suits) Act, 1948, or the Displaced Persons (Legal Proceedings) Act, 1949, as the case may be, as if those Acts were in force in the State on the day on which such thing was done or action was taken.