
PUNJAB CUSTOM (POWER TO CONTEST) ACT, 1920**2 of 1920****[28th May, 1920]****CONTENTS**

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PUNJAB CUSTOM (POWER TO CONTEST) ACT, 1920**2 of 1920****[28th May, 1920]**

An Act to restrict the power of descendants or collaterals to contest an alienation of immovable property or the appointment of an heir on the ground that such alienation or appointment is contrary to custom. Preamble. Whereas it is expedient to enact certain restrictions on the power of descendants or collaterals to contest an alienation of immovable property or the appointment of an heir on the ground that such alienation or appointment is contrary to custom : And whereas the previous sanction of the Governor-General has been accorded under Section 39 (2) of the Government of India Act, 1915, to the passing of this Act; it is hereby enacted as follows :-

1. Title and extent :-

(1) This Act may be called the Punjab Custom (Power to Contest) Act, 1920.

(2) It extends to Punjab and Union territory of Delhi.

2. Definitions :-

In this Act: "Alienation" includes any testamentary disposition of property. "Appointment of an heir" includes any adoption made or purporting to be made according to custom.

3. Scope of Act :-

This Act shall apply only in respect of alienations of immovable property or appointments of heirs made by persons who in regard to such alienations, or appointments are governed by custom.

4. Savings :-

This Act shall not affect any right to contest any alienation or appointment of an heir made before the date on which this Act comes into force.

5. Rights of females :-

Nothing in this Act shall apply to any alienation or appointment of an heir by a female.

6. Limitation on the right to contest alienation and appointments of heirs :-

Subject to the provisions contained in Section 4 and notwithstanding anything to the contrary contained in Section 5, Punjab Laws Act, 1872, no person shall contest any alienation of ancestral immoveable property or any appointment of an heir to such property on the ground that such alienation or appointment is contrary to custom, unless such person is descended in male lineal descent from the great-great-grandfather of the person making the alienation or appointment.

7. Alienation of non-ancestral property :-

Notwithstanding anything to the contrary contained in Section 5, Punjab Laws Act, 1872, no person shall contest any alienation of non-ancestral immoveable property or any appointment of an heir to such property on the ground that such alienation or appointment is contrary to custom.