

123.

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Civil Revision No.3624 of 2016

Date of decision:23.05.2016

Dilbag Singh

... Petitioner

versus

Punjab Wakf Board and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Ashish Pannu, Advocate,
for the petitioner.

K.Kannan, J. (Oral)

1. A plea of limitation is not available for a defendant to fend off action for recovery of property by virtue of Section 107 of the Wakf Act, 1995. Prior to the said Act, there have been periodical extensions of inapplicability of the Limitation Act and this has been considered in a judgment of this court in **Gurudwara Singh Sabha and others Versus Punjab Waqf Board in Civil Revision No.1901 of 2014, dated 06.07.2015.** Under the circumstances, a plea in defence that the right to property has been obtained by adverse possession cannot hold water. There is no plea that the right by adverse possession has fructified even before the Act or the extensions of periods for exclusion of the period of limitation.

2. The order passed by the Tribunal is upheld and the revision petition is dismissed.

**(K.KANNAN)
JUDGE**

23.05.2016

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