

SIND ACT No. XIV OF 1939¹.[THE TRANSFER OF PROPERTY AND THE REGISTRATION
(SIND AMENDMENT) ACT, 1939.]

[1st June, 1939]

An Act to amend the Transfer of Property Act, 1882, and the ^{2*} Registration Act, 1908, in their application to the Province of Sind.

WHEREAS it is expedient to amend the Transfer of Property Act, 1882, and the ^{2*} Registration Act, 1908, in their application to the Province of Sind for the purposes hereinafter appearing; It is hereby enacted as follows:—

1. (1) This Act may be called the Transfer of Property and the ^{3*} * * * Registration (Sind Amendment) Act, 1939.

Short title, extent and commencement.

(2) 4* * * * * the Provincial Government may, by notification in the *Official Gazette*, extend all or any of the provisions of this Act to any ^{5*} * area.

(3) This Act shall come into force on such date⁶ as the Provincial Government may, by notification in the *Official Gazette*, appoint.

2. Section 52 of the Transfer of Property Act, 1882, shall be re-numbered as sub-section (1) of section 52 of the said Act, and

(i) in sub-section (1) so re-numbered, after the word "question", the words and figures "if a notice of the pendency of such suit or proceeding is registered under section 18 of the ^{2*} Registration Act, 1908", and after the word "property" where it occurs for the second time the words "after the notice is so registered," shall be inserted; and

Amendment of section 52 of Act IV of 1882.

¹ For Statement of Objects and Reasons, see S. G. G., 1939, Pt. IV, p. 107 and for proceeding in Assembly, see S. L. A. Debates, 1939, Vol VIII, Book No. 11, pp. 57-59.

² The word "Indian" omitted by the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance, 1955 (Sind 5 of 1955), s. 4 (w. e. f. 30th May 1951).

³ The word "Indian" rep. *ibid*, s. 6, Sch. II.

⁴ The words "This Act shall extend in the first instance to the city of Karachi; Provided that" rep. *ibid*.

⁵ The word "other" rep. *ibid*.

⁶ Came into force w. e. f. the 1st June 1940 vide G.N., R.D., No. R.-2787/H (a), dated the 24th April 1940, see S. G. G., 1940, Part I, p. 782.

(ii) after the said sub-section (1); so re-numbered the following shall be inserted, namely:—

“(2) Every notice of pendency of a suit or proceeding referred to in sub-section (1) shall contain the following particulars, namely:—

(a) the name and address of the owner of immovable property or other person whose right to the immovable property is in question;

(b) the description of the immovable property the right to which is in question;

(c) the court in which the suit or proceeding is pending;

(d) the nature and title of the suit or proceeding; and

(e) the date on which the suit or proceeding was instituted.”

3. In the ^{1*} Registration Act, 1908—

(1) in section 18—

(i) the word “and” after clause (e) shall be deleted; and
(ii) after clause (e) the following shall be inserted, namely:—

“(ee) notices of pending suits or proceedings referred to in section 52 of the Transfer of Property Act, 1882; and”
and

(2) in section 28 for the brackets, letters and word “(b) and (c)” the brackets, letters and word “(b), (c) and (ee)” shall be substituted.

XVI of
1908.

IV of
1882

Amendment
of sections
18 and 28 of
Act XVI of
1908.

¹ The word “Indian” omitted by the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance, 1955 (Sind 5 of 1955), s. 4 (w. e. f. 30th May, 1955).