

Adverse possession – Public use – Property dedicated to public use – In the statute of limitation no rights can accrue by adverse possession – When we consider the law of adverse possession as has developed vis-à-vis to property dedicated to public use, courts have been loath to confer the right by adverse possession – There are instances when such properties are encroached upon and then a plea of adverse possession is raised – In Such cases, on the land reserved for public utility, it is desirable that rights should not accrue – The law of adverse possession may cause harsh consequences, hence, we are constrained to observe that it would be advisable that concerning such properties dedicated to public cause, it is made clear in the statute of limitation that no rights can accrue by adverse possession – Limitation Act, 1963 (36 of 1963), Article 65.

2019 SCeJ 892, (2019-3)195 PLR 584 (SC)(SN) , 2019 PLRonline 203208