

No.HCLC.59/2020


High Court of Karnataka
Bengaluru
Dated: 26.03.2021.

CIRCULAR

The concerned branches on judicial side are hereby directed to follow the directions passed by the Hon'ble Supreme Court vide order dated 08.03.2021 in Suo Motu Writ Petition (Civil) No.3/2020 with regard to computation of limitation period.

A copy of the final order dated 08.03.2021 passed in Suo Motu Writ Petition (Civil) No. 3/2020 of the Hon'ble Supreme Court is attached herewith for compliance.

BY ORDER OF HON'BLE THE CHIEF JUSTICE,


(K.S.BHARATH KUMAR)
REGISTRAR (JUDICIAL)

To:

1. The Registrar General.
2. The Registrar (Vigilance).
3. The Registrar (Computers).
4. The Registrar (Administration).
5. The Registrar (Recruitment).
6. The Registrar (Review & Statistics).
7. The Registrar (Infrastructure & Maintenance).
8. The Central Project Co-ordinator.
9. The Addl.Registrar General, High Court of Karnataka, Dharwad Bench, Dharwad.
10. The Addl.Registrar General, High Court of Karnataka, Kalaburagi Bench, Kalaburagi.
11. The P.S. to Hon'ble the Chief Justice.
12. All the Private Secretaries to the Hon'ble Judges.
13. All the PAs to Registrars.

14. The Chief Secretary to Government of Karnataka, Vidhana Soudha, Bengaluru.
15. The Principal Secretary to Government, Department of Law, Justice and Human Rights, Vidhana Soudha, Bengaluru.
16. The Chairman, Karnataka State Bar Council, Old KGID Building, Bengaluru.
17. The President, Advocates' Association, Bengaluru.
18. The President, Advocates' Association, High Court of Karnataka, Dharwad/Kalaburagi Bench.
19. The Advocate General in Karnataka, Bengaluru.
20. Office of the Advocate General, High Court of Karnataka, Dharwad/Kalaburagi Bench.
21. The President, Women Federation of Lawyers, Bengaluru.
22. The Member Secretary, Karnataka State Legal Services Authority, Bengaluru.
23. The Member Secretary, High Court Legal Services Authority, Bengaluru.
24. The Chief Librarian of this office.
25. The P.A. to Registrar (Judicial) with a request to circulate the same to all the Court Officers and Asst.Court Officers of this office.
26. All Group-A officers of this office.
27. All Section Officers with a direction to circulate the same to the staff working under their control.
28. Office copy.

REPORTABLE

**IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
Suo Motu Writ Petition (Civil) No.3 of 2020**

IN RE: COGNIZANCE FOR EXTENSION OF LIMITATION.

..... Petitioner (s)

Versus

.....Respondent (s)

O R D E R

1. Due to the onset of COVID-19 pandemic, this Court took *suo motu* cognizance of the situation arising from difficulties that might be faced by the litigants across the country in filing petitions/applications/suits/appeals/all other proceedings within the period of limitation prescribed under the general law of limitation or under any special laws (both Central or State). By an order dated 27.03.2020 this Court extended the period of limitation prescribed under the general law or special laws whether compoundable or not with effect from 15.03.2020 till further orders. The order dated 15.03.2020 was extended from time to time. Though, we have not seen the end of the pandemic, there is considerable improvement. The lockdown has been lifted and the country is returning to normalcy. Almost all the Courts and Tribunals are functioning either physically or by

Signature valid
Digitally signed by
Mukul Bhatnagar
Date: 2020.03.08
15:47:26 +05'30'
Reason:

virtual mode. We are of the opinion that the order dated 15.03.2020 has served its purpose and in view of the changing scenario relating to the pandemic, the extension of limitation should come to an end.

2. We have considered the suggestions of the learned Attorney General for India regarding the future course of action. We deem it appropriate to issue the following directions: -

1. In computing the period of limitation for any suit, appeal, application or proceeding, the period from 15.03.2020 till 14.03.2021 shall stand excluded. Consequently, the balance period of limitation remaining as on 15.03.2020, if any, shall become available with effect from 15.03.2021.
2. In cases where the limitation would have expired during the period between 15.03.2020 till 14.03.2021, notwithstanding the actual balance period of limitation remaining, all persons shall have a limitation period of 90 days from 15.03.2021. In the event the actual balance period of limitation remaining, with effect from 15.03.2021, is greater than 90 days, that longer period shall apply.
3. The period from 15.03.2020 till 14.03.2021 shall also stand excluded in computing the periods

prescribed under Sections 23 (4) and 29A of the Arbitration and Conciliation Act, 1996, Section 12A of the Commercial Courts Act, 2015 and provisos (b) and (c) of Section 138 of the Negotiable Instruments Act, 1881 and any other laws, which prescribe period(s) of limitation for instituting proceedings, outer limits (within which the court or tribunal can condone delay) and termination of proceedings.

4. The Government of India shall amend the guidelines for containment zones, to state.

“Regulated movement will be allowed for medical emergencies, provision of essential goods and services, and other necessary functions, such as, time bound applications, including for legal purposes, and educational and job-related requirements.”

3. The Suo Motu Writ Petition is disposed of accordingly.

.....CJI.
[S. A. BOBDE]

.....J.
[L. NAGESWARA RAO]

.....J.
[S. RAVINDRA BHAT]

New Delhi,
March 08, 2021.