

HIGH COURT OF MADHYA PRADESH : JABALPUR

Endt. No. 2/1667 /  
II-15-28/41

Jabalpur, dt 10 /05/2021

The copy of the copy of order passed by Hon'ble Supreme Court of India in Record of Proceedings in Suo Moto WP (C) no. 3/2020 in Recognizance for extension of limitation dated 08-03-2021 & 27-04-2021 to -

- (i) Registrar, M.P. Waqf Tribunal , Bhopal
- (ii) Registrar ,Cooperate Tribunal Bhopal
- (iii) Registrar ,STAT Gwalior
- (iv) Registrar, Industrial Court Tribunal Indore
- (v) Registrar, Debt Recovery Tribunal Jabalpur with a request to bring the same into the knowledge of all the Officers working with them for information and necessary action.

  
10/05/2021  
(R.P.S.CHUNDAWAT)  
REGISTRAR(DE)

**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

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Date: 2024.03.08  
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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.”

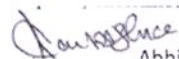
3. The Suo Motu Writ Petition is disposed of accordingly.

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

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

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

**New Delhi,  
March 08, 2021.**

  
Akhi

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**VAKALATNAMA**  
**IN THE SUPREME COURT OF INDIA**  
**M.A. NO. OF 2021**  
**IN**  
**SUO MOTU WRIT PETITION (CIVIL) NO. 3 OF 2020**

**IN THE MATTER OF:**

IN RE: COGNIZANCE FOR EXTENSION  
 OF LIMITATION

...PETITIONER

VS

XXXX

...RESPONDENTS

**AND IN THE MATTER OF**

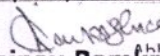
Supreme Court Advocate on Record Association,  
 by its Hony. Secretary,  
 Golden Jubilee Bar Room,  
 Supreme Court of India,  
 New Delhi-110001 (India)

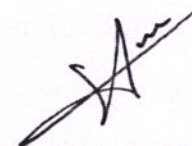
...APPLICANT

**VAKALATNAMA**

I, **Dr. Joseph Aristotle S.**, the Applicant/s in the above petition do hereby appoint and retain **Mr. Abhinav Ramkrishna**, Advocate of the Supreme Court of India, to act and appear for me in the above Appeal and on my behalf to conduct and prosecute (or defend) the same and all proceedings that may be taken in respect of any application connected with the or any decree or decree or order passed therein, including proceedings in taxation and application for Review, to file and obtain return of documents, and to deposit and receive money on my behalf in the said Appeal in application for Review, and to represent me and to take all necessary steps on my behalf in the above matter. I agree to ratify all acts done by the aforesaid advocate in pursuance of this authority.

Dated this the 16<sup>th</sup> day of April, 2021.Accepted, Identified and satisfied by me:

  
**Abhinav Ramkrishna**  
 Advocate

  
 (Dr. Joseph Aristotle S.)  
 (APPLICANT)

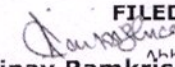
**MEMO OF APPEARANCE**

To,  
 The Registrar,  
 Supreme Court of India,  
 New Delhi

Sir,

Please enter my appearance on behalf of the Petitioner(s)/Appellant(s)  
 Respondents(s) in the above matter.

Dated this the 16<sup>th</sup> day of April, 2021.

**FILED BY**  
  
**Abhinav Ramkrishna**  
 ADVOCATE FOR THE APPLICANT/PETITIONER(S)  
 / APPELLANT(S) / RESPONDENTS(S)

ITEM NO.1

Court 1 (Video Conferencing)

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Miscellaneous Application No. 665/2021 in SMW(C) No. 3/2020

IN RE COGNIZANCE FOR EXTENSION OF LIMITATION

Petitioner(s)

VERSUS

XXXX

Respondent(s)

(FOR ADMISSION and IA No.55867/2021-INTERVENTION/IMPLEADMENT and IA No.55869/2021-APPROPRIATE ORDERS/DIRECTIONS and IA No.55865/2021-APPLICATION FOR PERMISSION )

Date : 27-04-2021 This Application was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE SURYA KANT  
HON'BLE MR. JUSTICE A.S. BOPANNA

For the Parties:  
For applicant

Mr. Shivaji M. Jadhav, Adv.  
Mr. Manoj K. Mishra, Adv.  
Dr. Joseph S. Aristotle, Adv.  
Ms. Diksha Rai, Adv.  
Mr. Nikhil Jain, Adv.  
Mr. Atulesh Kumar, Adv.  
Dr. Aman Hingorani, Adv.  
Ms. Anzu Varkey, Adv.  
Mr. Sachin Sharma, Adv.  
Mr. Aljo Joseph, Adv.  
Mr. Varinder Kumar Sharma, Adv.  
Mr. Abhinav Ramkrishna, AOR

For Union of  
India

Mr. K.K. Venugopal, AG  
Mr. Tushar Mehta, SG  
Mr. Rajat Nair, adv.  
Mr. Kanu Agrawal, Adv.  
Mr. Siddhant Kohli, Adv.  
Ms. Chinmayee Chandra, Adv.  
Mr. B.V. Balaram, Das, Adv.

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Neelam Guja  
Date: 2021.04.28  
16:13:06 IST  
Reason:

For R.No.4  
in SMWP 3/20

Mr. Divyakant Lahoti, AOR  
Mr. Parikshit Ahuja, Adv.  
Ms. Praveena Bisht, Adv.  
Ms. Madhur Jhavar, Adv.



Ms. Vindhya Mehra, Adv.  
Mr. Kartik Lahoti, Adv.  
Mr. Rahul Maheshwari, Adv.

Mr. Abhimanyu Tewari, Adv.  
Ms. Eliza Barr, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

The Court is convened through Video Conferencing.

This Court took *suo motu* cognizance of the situation arising out of the challenge faced by the country on account of COVID-19 Virus and resultant difficulties that could be faced by the litigants across the country. Consequently, it was directed vide order dated 23<sup>rd</sup> March, 2020 that the period of limitation in filing petitions/ applications/ suits/ appeals/ all other proceedings, irrespective of the period of limitation prescribed under the general or special laws, shall stand extended with effect from 15<sup>th</sup> March, 2020 till further orders.

Thereafter on 8<sup>th</sup> March, 2021 it was noticed that the country is returning to normalcy and since all the Courts and Tribunals have started functioning either physically or by virtual mode, extension of limitation was regulated and brought to an end. The *suo motu* proceedings were, thus, disposed of issuing 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."

Supreme Court Advocate on Record Association (SCAORA) has now through this Interlocutory Application highlighted the daily surge in COVID cases in Delhi and how difficult it has become for the Advocates-on-Record and the litigants to institute cases in Supreme Court and other courts in Delhi. Consequently, restoration of the order dated 23<sup>rd</sup> March, 2020 has been prayed for.

We have heard Mr. Shivaji M. Jadhav, President SCAORA in support of the prayer made in this application. Learned Attorney General and Learned Solicitor General have also given their valuable suggestions.

We also take judicial notice of the fact that the steep rise in COVID-19 Virus cases is not limited to Delhi alone but it has engulfed the entire nation. The extraordinary situation caused by the sudden and second outburst of COVID-19 Virus, thus, requires extraordinary measures to minimize the hardship of litigant-public in all the states. We, therefore, restore the order dated 23<sup>rd</sup> March, 2020 and in continuation of the



order dated 8<sup>th</sup> March, 2021 direct that the period(s) of limitation, as prescribed under any general or special laws in respect of all judicial or quasi-judicial proceedings, whether condonable or not, shall stand extended till further orders.

It is further clarified that the period from 14<sup>th</sup> March, 2021 till further orders 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.

We have passed this order in exercise of our powers under Article 142 read with Article 141 of the Constitution of India. Hence it shall be a binding order within the meaning of Article 141 on all Courts/Tribunals and Authorities.

This order may be brought to the notice of all High Courts for being communicated to all subordinate courts/Tribunals within their respective jurisdiction.

Issue notice to all the Registrars General of the High Courts, returnable in 6 weeks.



List the Miscellaneous Application on 19<sup>th</sup> July, 2021.

(NEELAM GULATI)  
ASTT. REGISTRAR-cum-PS

(RAJ RANI NEGI)  
DY. REGISTRAR