

# Supreme Court further extends period of limitation in respect of all judicial or quasi judicial proceedings

The Supreme Court (SC) had taken suo motu cognisance of the challenges faced by litigants due to the COVID-19 pandemic across the country in filing their petitions/applications/suits/appeals/all other proceedings within the period of limitation prescribed under the general law of limitation or under Special Laws (both central and/or state). Therefore, the apex court had ordered that the period of limitation in all proceedings shall stand extended, with effect from 15 March 2020, till further orders, irrespective of the limitation prescribed under any law.

The SC has restored the said order, dated 23 March 2020 and in continuation of the subsequent orders, dated 8 March 2021, 27 April 2021 and 23 September 2021, has directed that the period from **15 March 2020 till 28 February 2022** shall stand excluded for the purposes of limitation as may be prescribed under any general or special laws in respect of all judicial or quasi judicial proceedings.

In addition the SC has clarified as under:

**Availability of balance period:** The balance period of limitation remaining as on 3 October 2021, if any, shall become available with effect from 1 March 2022.

**Limitation period expired during 15 March 2020 to 28 February 2022:** Notwithstanding the actual balance period of limitation remaining, all persons shall have a limitation period of 90 days from 1 March 2022. In the event, the actual balance period of limitation remaining, with effect from 1 March 2022, is greater than 90 days, that longer period shall apply.

**Extension of limitation period under other acts:** The period from 15 March 2020 till 28 February 2022 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.