

ORDER

Ro: Situation arising due to outbreak of the novel coronavirus (COVID-19)

In continuation of Order No.30/RG/Spl./Misc. dated 09.07.2020 and Order No.65/RG/Spl./Misc. dated 12.03.2021, it is brought to the notice of all the learned Advocates, Litigants and general public that at first instance Hon'ble Supreme Court had disposed of the Suo-Moto Writ Petition (Civil) No.3/2020 vide judgment dated 08.03.2021 by issuing 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 Section 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 proceeding."*

However, vide order dated 27.04.2021 passed in Misc. Application No.665 of 2021 in Suo-moto Writ Petition (Civil) No. 3 of 2020, the Hon'ble Supreme Court has been pleased to further issue the following order:-

"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

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14/7/2021*


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 23rd March, 2020 and in continuation of the order dated 8th 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 14th March, 2021 till further orders shall also stand excluded in computing the periods prescribed under Sections 23(4) and 29-A of the Arbitration and Conciliation Act, 1996 and Section 12 A of the Commercial Courts Act, 2015 and provisos (b) and (c) of Section 138 of the Negotiable Instrument 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.”

- (ii) The Registry of this Hon'ble High Court and the Subordinate Courts in the States of Punjab, Haryana and Union Territory, Chandigarh shall compute the period of limitation in accordance with aforesaid directions.

BY ORDER OF HON'BLE THE CHIEF JUSTICE.


(Yashwinder Paul Singh)
O.S.D. Judicial (Listing)
14.07.2021