

## Extension of limitation period amid Covid-19

The Supreme Court on 23<sup>rd</sup> March, 2020 took up a *suo moto* petition for hearing. While exercising its inherent powers under Article 141 read with Article 142 of the Indian Constitution, which allows it to pass a necessary decree or order for catering complete justice in any cause or matter pending before it, took cognizance of the challenges faced by lawyers and their clients in the process of filing legal documents (petitions, applications, appeals etc) and adhering to other legal proceedings therewith, which are barred by a limitation period mentioned by a given general or special law (both Central and State) amid Covid-19 pandemic.

In furtherance of the issues faced by litigants which require them to make a physical appearance in court, the three-judge bench comprising of Chief Justice Bobde and Justices L Nageshwar Rao and Surya Kant ordered that:

“ a period of limitation in all such proceedings, irrespective of the limitation prescribed under the general law or Special laws whether condonable or not shall stand extended with effect from 15<sup>th</sup> March, 2020 till further order/s to be passed by this court in present proceedings”

This order stands binding up on all Courts and Tribunals across the entire territory of India, according to Article 141 of the Constitution. The Court also stated that this order must be brought to the notice of all High Courts which further have a duty to communicate this to all subordinate courts and tribunals under its respective jurisdiction. It also ordered for the issue of notice regarding the same to all Registrar Generals of High Courts.

The Solicitor General, Tushar Mehta while discussing these issues had previously suggested that appeals which are to become time barred in the next couple of weeks should be deemed to have been declared extended due to the current scenario.