

**SUPREME COURT OF INDIA**

**Cognizance For Extension of Limitation, *In re***

SANJAY KUMAR, CJ.

L. NAGESWARA RAO AND SURYA KANT, JJ.

SUO MOTU WRIT PETITION (CIVIL) NO(S). 3 OF 2020

MARCH 23, 2020

**Section 5 of the Limitation Act, 1963, read with articles 141 and 142 of the Constitution of India - Extension of prescribed period in certain cases - Whether to obviate difficulties faced by litigants on account of COVID-19 in filing petitions/suits/applications/appeals/all other proceedings within period of limitation prescribed under general law of limitation or under special laws, it is ordered that period of limitation in all such proceedings irrespective of period prescribed under general law or special law shall stand extended with effect from 15-3-2020 till further orders passed by Court - Held, yes - Whether such order is passed by Supreme Court in exercise of powers conferred under article 142 and is binding on all Courts/Tribunal and authorities - Held, yes [Paras 2 and 3]**

**Tushar Mehta, SG, Ms. Swati Ghildiyal, Ankur Talwar, G.S. Makkar, Raj Bahadur, Advs., B.V. Balaram Das, AOR and Dushyant Dave, Adv. *for the Appearing Parties.***

**ORDER**

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This Court has taken *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 may be faced by litigants 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).

To obviate such difficulties and to ensure that lawyers/litigants do not have to come physically to file such proceedings in respective Courts/Tribunals across the country including this Court, it is hereby 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 w.e.f. 15<sup>th</sup> March 2020 till further order/s to be passed by this Court in present proceedings.

We are exercising this power under Article 142 read with Article 141 of the Constitution of India and declare that this order is 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 four weeks.