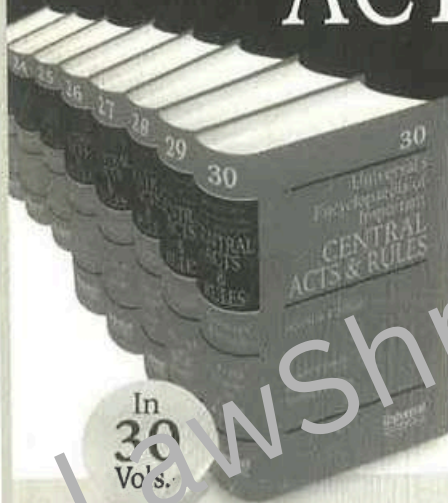


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The Limitation Act, 1963

Applies only to civil suits.

(36 of 1963)

base the judicial remedy
Gregorian calendar
to be used in
computation of limitation time.

Came into force
repeated
Limitation Act of 1908

with State Amendments

and

Model Specimens of Affidavit for Condonation of Delay
Your paragraph text

applies to:
→ Appeal
→ Application

Lawshrine Trust

but does not bar substantive right

bars the remedy



↳ applies to proceedings before courts

↳ delay in suit cannot be condoned but under limitation act, but can be condoned under OJRG CPC

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THE LIMITATION ACT, 1963

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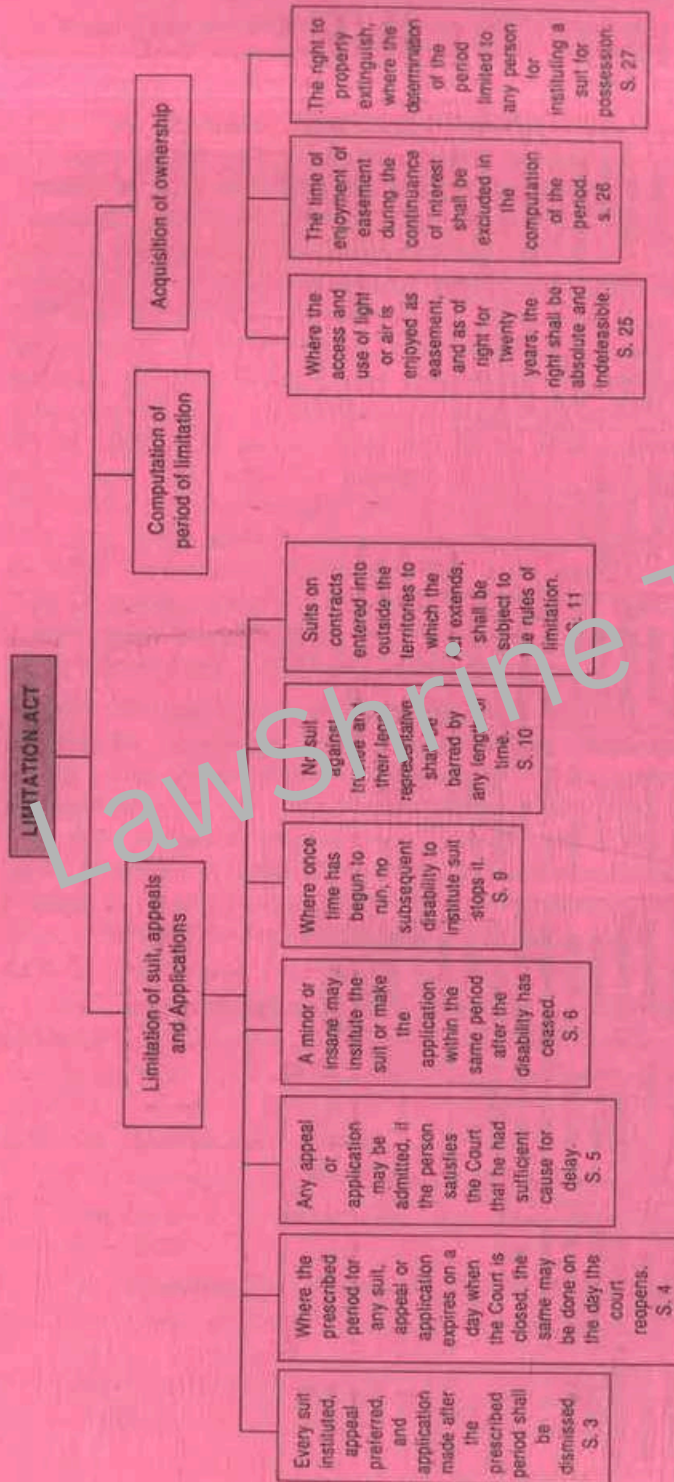
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① 32 sections and 137 entries in schedule,
mainly ② sections

↳ operation is prospective and retrospective

↳ Limitation is procedural law



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COMPUTATION OF PERIOD OF LIMITATION

In computing the period of limitation, the day from which such period is to be reckoned, shall be excluded. S. 12

Where leave to sue or appeal as a pauper is applied and rejected, the time of prosecution for leave shall be excluded. S. 13

Time taken in a suit where plaintiff proceeded bona fide in Court without jurisdiction shall be excluded in computing the period of limitation. S. 14

When death of a person occurs or before the accrual of the right to exercise the period of limitation shall be computed from the time when his legal representative is capable to institute suit. S. 16

Where the suit is based upon the fraud of the defendant, the period of limitation shall not begin to run until plaintiff has discovered the fraud. S. 17

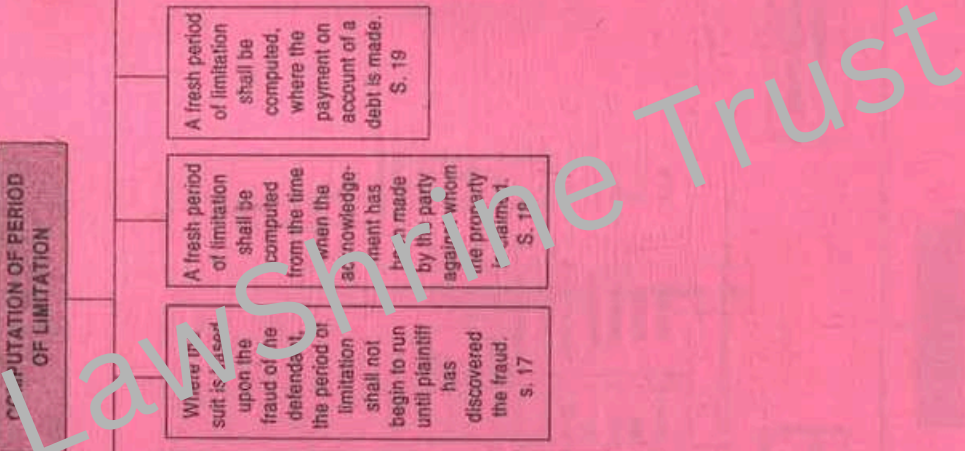
A fresh period of limitation shall be computed from the time when the defendant has been made aware by the party to whom the property belongs. S. 18

A fresh period of limitation shall be computed, where the payment on account of a debt is made. S. 19

In case of a continuing breach of contract, a fresh period of limitation begins to run at every moment of time during which breach continues. S. 22

In case of a suit for compensation, the period of limitation shall be computed from the time when the injury results. S. 23

All instruments shall be made with reference to the Gregorian calendar. S. 24



THE LIMITATION ACT, 1963

INTRODUCTION

From the year 1793 Regulations were passed from time to time for fixing the period of limitation for institution of action, but till 1859 no definite law of limitation came into force. In the year 1859 for the first time a law on the subject of limitation was passed by Act XIV of 1859 which came into operation in the year 1862. Before the Act of 1859 came into operation, two systems of law of limitation were adopted by the courts in India. In the Presidency towns of Calcutta, Madras and Bombay, the courts followed the English law and in the Muffasils the courts administered the law as laid down by the Regulations which were passed from time to time. The Act of 1859 was followed by the Act XIX of 1871. The Act of 1871 was followed by the Act XV of 1877. Some amending Acts were also passed. Finally, the question of consolidating and amending the law relating to limitation for suits, appeals and applications was taken up and the Limitation Act of 1908 (IX of 1908) was passed. The Act IX of 1908 continued in operation for a quite long time with the passage of time it was felt that a more suitable legislation may be brought out. Law Commission in the third report dated 27th July, 1956 made various recommendations. On the recommendation of the Law Commission Limitation Bill was introduced in the Lok Sabha on 23rd December, 1960 but it lapsed on account of dissolution of the Lok Sabha. It was again introduced in the Parliament in 1962.

STATEMENT OF OBJECTS AND REASONS

This Bill seeks to implement the Third Report of the Law Commission on the Indian Limitation Act, 1908, with one important modification. While giving effect to the recommendations of the Commission as respects the re-arrangements of the Articles contained in the first schedule in accordance with their subject matter of the rationalization of the periods of limitation as far as possible, it is felt that it would be more advantageous to adhere to the existing scheme which in almost all cases indicates the specific points of time from which the period of limitation begins to run.

ACT 36 OF 1963

The Limitation Bill having been passed by both the Houses of Parliament received the assent of the President on 5th October, 1963. It came on the Statute Book as THE LIMITATION ACT, 1963 (36 of 1963) (Came into force on 1-1-1964). → Came into force in 1964

LIST OF AMENDING ACTS

1. The Repealing and Amending Act, 1964 (52 of 1964) (w.e.f. 29-12-1964).
2. The Limitation (Amendment) Act, 1969 (10 of 1969) (w.r.e.f. 1-1-1964 and 26-3-1969).
3. The Repealing and Amending Act, 1974 (56 of 1974) (w.e.f. 20-12-1974).
4. The Code of Civil Procedure (Amendment) Act, 1976 (104 of 1976) (w.e.f. 1-2-1977).
5. The Code of Civil Procedure (Amendment) Act, 1999 (46 of 1999) (w.e.f. 1-7-2002).

Applied to
Civil Suits

THE LIMITATION ACT, 1963

(36 of 1963)

[5th October, 1963]

An Act to consolidate and amend the law for the limitation of suits and other proceedings and for purposes connected therewith.

BE it enacted by Parliament in the Fourteenth Year of the Republic of India as follows:—

PART I PRELIMINARY

1. Short title, extent and commencement.—(1) This Act may be called the Limitation Act, 1963.

(2) It extends to the whole of India except, the State of Jammu and Kashmir.

(3) It shall come into force on such date¹ as the Central Government may, by notification in the Official Gazette, appoint.

2. Definitions.—In this Act, unless the context otherwise requires,—

(a) "applicant" includes—

(i) a petitioner;

(ii) any person from or through whom an applicant derives his right to apply;

(iii) any person whose estate is represented by the applicant as executor, administrator or other representative.

(b) "application" includes a petition.

(c) "bill of exchange" includes a hundi and a cheque;

(d) "bond" includes any instrument whereby a person obliges himself to pay money to another, on condition that the obligation shall be void if a specified act is performed, or is not performed, as the case may be;

(e) "defendant" includes—

(i) any person from or through whom a defendant derives his liability to be sued;

(ii) any person whose estate is represented by the defendant as executor, administrator or other representative;

(f) "easement" includes a right not arising from contract, by which one person is entitled to remove and appropriate for his own profit any part of the soil belonging to another or anything growing in, or attached to, or subsisting upon, the land of another;

(g) "foreign country" means any country other than India;

(h) "good faith"— nothing shall be deemed to be done in good faith which is not done with due care and attention;

(i) "plaintiff" includes—

(i) any person from or through whom a plaintiff derives his right to sue;

1. Came into force on 1-1-1964, vide S.O. 3118, dated 29th October, 1963.

In the State of Sikkim came into force on 1-9-1984, vide S.O. 647(E), dated 24th August, 1984.

- (ii) any person whose estate is represented by the plaintiff as executor, administrator or other representative;
- (j) "period of limitation" means the period of limitation prescribed for any suit, appeal or application by the Schedule, and "prescribed period" means the period of limitation computed in accordance with the provisions of this Act;
- (k) "promissory note" means any instrument whereby the maker engages absolutely to pay a specified sum of money to another at a time therein limited, or on demand, or at sight;
- (l) "suit" does not include an appeal or an application;
- (m) "tort" means a civil wrong which is not exclusively the breach of a contract or the breach of a trust;
- (n) "trustee" does not include a *benamidar*, a mortgagee remaining in possession after the mortgage has been satisfied or a person in a wrongful possession without title.

COMMENTS

An application preferred by a person requesting the court to initiate contempt proceedings against someone who has violated deliberately court's order cannot be said to be an 'application' referred to in section 3 read with section 2(b); *Islamuddin v. Umesh Chandra Tiwari*, AIR 2010 (NOC) 66 (All).

PART II

LIMITATION OF SUITS, APPEALS AND APPLICATIONS

3. Bar of limitation.—(1) Subject to the provisions contained in sections 4 to 24 (inclusive), every suit instituted, appeal preferred, and application made after the prescribed period shall be dismissed, although limitation has not been set up as a defence.

(2) For the purposes of this Act—

(a) a suit is instituted—

(i) in an ordinary case, when the plaint is presented to the proper officer;

(ii) in the case of a pauper, when his application for leave to sue as a pauper is made; and

(iii) in the case of a claim against a company which is being wound up by the court, when the claimant first sends in his claim to the official liquidator;

(b) any claim by way of a set off or a counter claim, shall be treated as a separate suit and shall be deemed to have been instituted—

(i) in the case of a set off, on the same date as the suit in which the set off is pleaded;

(ii) in the case of a counter claim, on the date on which the counter claim is made in court;

(c) an application by notice of motion in a High Court is made when the application is presented to the proper officer of that court.

COMMENTS

Limitation for filling complaint

Complainant sent demand notice but was not able to know whether it was served upon accused or not. The postal authority intimated the date of delivery of demand

notice. Shankar
Jurisdiction
a claim
repose
of public
There
right to
AIR 1956

Sec 5 does not apply to
L suits
L execution
Petition U/O 21
Petition for divorce under Hindu marriage Act, 1956

ns to run from date of postal authority's intimation; *Bhabani of West Bengal*, AIR 2007 (DOC) 204 (Cal).
to consider question of limitation
is not meant to be an aid to unconscionable conduct, although, if d, the court must unhesitatingly dismiss the suit. It is a law of e which bars the remedy after lapse of a particular period by way expediency without extinguishing the right in certain cases. ust bar against limitation and in favour of the substance of the views are clearly possible; *Craft Centre v. Koncherry Coir Factories*,

Object
T
Punjab
Suit of
limitation in defending a justifiable cause is unsustainable; *State of AIR 2002 P&H 68.*

Suit of beyond period of limitation
By virtue of section 3 of the Act, it is obligatory on part of court, to dismiss the suit or appeal if made after the prescribed period even though the limitation is not set up as a defence, and there is no plea to raise the issue of limitation even at appellate stage because in some of the cases it may go to the root of the matter; *State of Orissa v. Mamata Mohanty*, (2011) 3 SCC 436: JT 2011 (2) SC 164: (2011) 2 SCALE 377.

When plea of limitation can be raised
Every suit should be filed within the prescribed period of time and if not filed, it is liable to be dismissed in view of section 3 of the Act; *R.K. Radhiamony v. Canara Bank*, AIR 2003 Ker 140.

4. Expiry of prescribed period when court is closed.—Where the prescribed period for any suit, appeal or application expires on a day when the court is closed, the suit, appeal or application may be instituted, preferred or made on the day when the court reopens.

Explanation.—A court shall be deemed to be closed on any day within the meaning of this section if during any part of its normal working hours it remains closed on that day.

COMMENTS

'Court' - Meaning of
A Government body consisting of one or more judges who sit to adjudicate disputes and administer justice; *Black's Law Dictionary*.

Scope
The word 'court' means a proper court which has jurisdiction to entertain the suit; *Amar Chand v. Union of India*, AIR 1973 SC 313.

5. Extension of prescribed period in certain cases.—Any appeal or any application, other than an application under any of the provisions of Order XXI of the Code of Civil Procedure, 1908 (5 of 1908), may be admitted after the prescribed period, if the appellant or the applicant satisfies the court that he had sufficient cause for not preferring the appeal or making the application within such period.

Explanation.—The fact that the appellant or the applicant was misled by any order, practice or judgment of the High Court in ascertaining or computing the prescribed period may be sufficient cause within the meaning of this section.

COMMENTS

Applicability
For entertaining an appeal filed against the decision or order of the Appellate Tribunal for electricity beyond the period of 120 days specified in section 125 of the Electricity Act and its proviso, Supreme Court cannot invoke section 5 of the Limitation Act, 1963; *Chhattisgarh State Electricity Board v. Central Electricity Regulatory Commission*, AIR 2010 SC 2061.

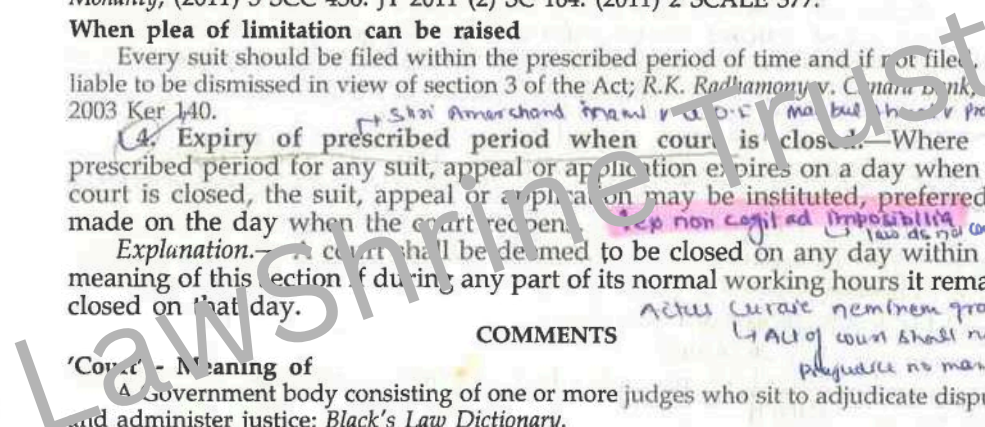
N. Balakrishnan v. M. Krishna Murthy
L award delay not material
Sufficient explanation is

Liberal
discretion

In the mbr of society as a whole, litigation must come to an end

[of interest republicae ut sit finis] cltiam

V.M.S. Katiji
Principle for electricity appeals via 5



for condonation of delay → village vigiwan, no negligence, no lack of bona fides on his part. 5

Sec. 5]

The Limitation Act, 1963

The free and fair elections are guarantee of the democratic polity. In the absence of the applicability of section 5 of the Limitation Act, the rights of the aggrieved person, intended to challenge an election, can be defeated by not appointing the Election Tribunal by the State. Placing an interpretation which excludes applicability of section 5 of the Act would be defeating the purpose of the Act; *Shaik, Saidulu alias Saida v. Chukka Yesu Ratnam*, AIR 2002 SC 749.

Condonation of delay

(i) Generally the courts including Supreme Court adopt a liberal approach in considering application for condonation of delay on ground of sufficient cause under section 5 of the Act. However, the concept such as "liberal approach", "justice oriented approach", "substantial justice" cannot be employed to jettison the substantial law of limitation; *Lanka Venkateswarlu v. State of Andhra Pradesh*, AIR 2011 SC 1199: (2011) 4 SCC 363: JT 2011 (2) SC 540: (2011) 2 SCALE 703.

(ii) Though section 5 of the Act envisages the explanation of delay to the satisfaction of the court, and makes no distinction between the State and the citizen, nonetheless adoption of a strict standard of proof in case of the Government, which is dependent on the actions of its officials, who often do not have any personal interest in its transactions, may lead to grave miscarriage of justice and therefore, certain amount of latitude is permissible in such cases; *Indian Oil Corporation Ltd. v. Subrata Borah Chowlek*, (2010) 12 SCALE 209: 2010 (262) ELT 3.

(iii) The expression 'sufficient cause' in section 5 must receive a liberal construction so as to advance substantial justice and generally delays in preferring appeals are required to be condoned in the interest of justice where no gross negligence or deliberate inaction or lack of bona fides is imputable to the party seeking condonation of the delay; *G. Ramagowda v. Special Land Acquisition Officer*, AIR 1988 SC 897.

(iv) The doctrine of equality before law demand that all litigants, including the State as a litigant, are accorded the same treatment and the law is administered in an even handed manner. There is no warrant for a cording a stepmotherly treatment when the State is the applicant, praying for condonation of delay. In fact experience shows that on account of an impersonal machinery (no one in charge of the matter is directly hit or hurt by the judgment sought to be subjected to appeal) and the inherited bureaucratic methodology involved in the note-making, file pushing and passing on the buck ethos, delay on its part is less difficult to understand though more difficult to approve. In any event, the State which represents the collective cause of the community, does not deserve a litigant non grata status. The courts therefore have to inform with the spirit and philosophy of the provisions in the course of the interpretation of the expression 'sufficient cause'. So also the same approach has to be evidenced in its application to matters at hand with the end in view to do even handed justice on merits in preference to the approach which scuttles a decision on merits. Turning to the facts of the matter giving rise to the present appeal, sufficient cause exists for the delay; *Collector, Land Acquisition, Anantnag v. Kaliji*, AIR 1987 SC 1353.

(v) Section 5 gives the courts a discretion which in respect of jurisdiction is to be exercised in the way in which judicial power and discretion are to be exercised and upon principles which are well understood; the words 'sufficient cause' must receive a liberal construction so as to advance substantial justice when no negligence or lack of bona fides is imputable to the appellant; *Shakuntala Devi v. State of Andhra Pradesh*, AIR 1969 SC 575.

Exercise of discretion

If the party who has applied for extension of period shows sufficient cause due to any of the facts mentioned in the explanation that would be treated as sufficient cause, and after it is treated as sufficient cause, the question may then arise as to whether discretion should be exercised in favour of the party or not; *Ramlal v. Rewa*, AIR 1962 SC 361.

Scope

Provisions of section 5 must be construed having regard to the object and purpose thereof; *Nasiruddin v. Sita Ram Agarwal*, (2003) 2 SCC 577.

Section 5 does not provide that an application in writing must be filed under the said provision can be granted; *Ram Kali Kuer v. Indradewan*, AIR 1985 Pat 148.

Secs don't apply on suits
 if a COA is made by the court after the suit is filed when plaintiff is in minority he may institute the suit within the period prescribed by law after he attains majority

Condonation of delay on sufficient ground

Cor provision in dealing with reference Sufficien The oriented every di 455: The advance imputa or not v for acc Howve shown and reject the petition by a slipshod order in over ju

h have been expressly made ma annot to the same extent and in th ion which fall to be decided onl amlal v. Rewa Coalfields Ltd., AIR 19

nt by the e invoked 5 without

Sec 6 does not provide for fresh starting point of limitation

U/s 6 a minor includes a child in the womb.

Sec 6 does not prevent summary of limitation but only extends the period of limitation

During period of legal disability the period of limitation shall remain suspended

icient cause' should be considered than the technical detection of suffi NCT of Delhi v. Ahmed Jaan, 2008 (1

in justice explaining SCALE

icient cause' should receive a libe ce when no negligence or inaction ether explanation furnished would c upon facts of each case. There canno explanation furnished for the dela not proceed with the tendency of fin

so as to a fide is at cause' formula g steps. ie cause

Acceptance of explanation furnished should be the rule and refusal an exception more so when no negligence or inaction or want of bona fide can be imputed to the defaulting party. On the other hand, while considering the matter the courts should not lose sight of the fact that by not taking steps within the time prescribed, a valuable right has accrued to the other party which should not lightly be defeated by condoning delay in a routine like manner. However by taking a pedantic and hyper technical view of the matter the explanation furnished should not be rejected when stakes are high, causing enormous loss and irreparable injury to the party against whom the lis terminates and defeating valuable right of such a party to have the decision of merits. The courts should strike balance between the resultant effect of the order it was going to pass upon the parties either way; Ram Nath Sao v. Gobardhan Sao, AIR 2002 SC 1201.

A liberal approach is to be adopted and sufficient cause must be made out in a pragmatic manner and a pedantic approach casting upon a party to explain each day's delay is to be avoided; Haryana State Electricity Board v. Phoolchand Satyapal (Engineers and Contractors), (1994) 2 SCC 69 (P&H).

To obtain extension of time by invoking the provisions of section 5 of the Act, the party seeking extension has to satisfy the court that he had sufficient cause for not filing suit, appeal, revision or objections, within the prescribed time; Rishi Prabhat v. Delhi Development Authority, (1994) 1 CCC 719 (Del).

The words 'sufficient cause' should receive a liberal construction so as to advance substantial justice when no negligence or inaction or want of bona fide is imputable to a party; State of West Bengal v. Administrator, Howrah Municipality, AIR 1972 SC 749.

Suit/App available to plaintiff

6. Legal disability.—(1) Where a person entitled to institute a suit or make an application for the execution of a decree is, at the time from which the prescribed period is to be reckoned, a minor or insane, or an idiot, he may institute the suit or make the application within the same period after the disability has ceased, as would otherwise have been allowed from the time specified therefor in the third column of the Schedule.

(2) Where such person is, at the time from which the prescribed period is to be reckoned, affected by two such disabilities, or where, before his disability has ceased, he is affected by another disability, he may institute the suit or make the application within the same period after both disabilities have ceased, as would otherwise have been allowed from the time so specified.

Minority

(3) Where the disability continues up to the death of that person, his legal representative may institute the suit or make the application within the same period after the death, as would otherwise have been allowed from the time so specified.

(4) Where the legal representative referred to in sub-section (3) is, at the date of the death of the person whom he represents, affected by any such disability, the rules contained in sub-sections (1) and (2) shall apply.

Minority not included

Kolondare v. Charnajai
L. Bai lochan v. Banwar Kumar

can be availed by plaintiff

(5) Where a person under disability dies after the disability ceases but within the period allowed to him under this section, his legal representative may institute the suit or make the application within the same period after the death, as would otherwise have been available to that person had he not died.

Explanation.—For the purposes of this section, 'minor' includes a child in the womb.

7. Disability of one of several persons.—Where one of several persons jointly entitled to institute a suit or make an application for the execution of a decree is under any such disability, and a discharge can be given without the concurrence of such person, time will run against them all; but, where no such discharge can be given, time will not run as against any of them until one of them becomes capable of giving such discharge without the concurrence of the others or until the disability has ceased.

Handwritten notes: discharge desakto hai → time will run. Inokids sakti → time will not run. ↓ window concurrence

Explanation I.— This section applies to a discharge from every kind of liability, including a liability in respect of any immovable property.

Explanation II.— For the purposes of this section, the manager of a Hindu undivided family governed by the Mitakshara law shall be deemed to be capable of giving a discharge without the concurrence of the other members of the family only if he is in management of the joint family property.

COMMENTS

Applicability

Section 7 would apply when the right to sue is joint irrespective of whether the substantive right is joint or not: *Usha Banerji v. Premier Insurance Co. Ltd.*, AIR 1983 All 27.

8. Special exceptions.— Nothing in section 6 or in section 7 applies to suits to enforce rights of pre-emption, or shall be deemed to extend, for more than three years from the cessation of the disability or the death of the person affected thereby, the period of limitation for any suit or application.

Handwritten notes: 3 saal se jyada nahi hoga. 4 Kum Asit to koi nah

Suit for possession *Handwritten notes:* Maximum period of 3 years from the death of the person affected by disability.

Where a person is entitled to institute a suit, the limitation begins to run for a minor or insane, or an idiot to institute the suit be within the same period after the disability has ceased as would otherwise have been allowed from the time specified therefor in 3rd column of the Schedule i.e., 3 years from the date of cessation of disability. Therefore considered from this perspective, court concurrently, found as a fact that the appellant is a stranger to the family of the respondent and that he forged the will, the last testamentary disposition of the father of the respondent and on its basis the appellant wrongfully came into the possession of the suit property in execution of the decree. Therefore, the suit of the respondent is barred by limitation; *Darshan Singh v. Gurdeep Singh*, AIR 1995 SC 75.

9. Continuous running of time.—Where once time has begun to run, no subsequent disability or inability to institute a suit or make an application stops it: *legal* → *Physical*

Provided that where letters of administration to the estate of a creditor have been granted to his debtor, the running of the period of limitation for a suit to recover the debt shall be suspended while the administration continues.

023
RTS

Shankar Lal v. Shadi Ram
COMMENTS

Suspension of period of limitation

Time that began to run against father cannot be applied to the sons at a time when they were not even born; *State of Punjab v. Surjit Kaur*, AIR 2002 P&H 68.

10. Suits against trustees and their representatives. ^{Period of limitation is not attracted in case of suit against trustee.} Notwithstanding anything contained in the foregoing provisions of this Act, no suit against a person in whom property has become vested in trust for any specific purpose, or against his legal representatives or assigns (not being assigns for valuable consideration), for the purpose of following in his or their hands such property, or the proceeds thereof, or for an account of such property or proceeds, shall be barred by any length of time.

only applies to trustee

Wasi Mohammed v. Rahimullah
Explanation.—For the purposes of this section any property comprised in a Hindu, Muslim or Buddhist religious or charitable endowment shall be deemed to be property vested in trust for a specific purpose and the manager of the property shall be deemed to be the trustee thereof.

11. Suits on contracts entered into outside the territories to which the Act extends.—(1) Suits instituted in the territories to which this Act extends on contracts entered into in the State of Jammu and Kashmir or in a foreign country shall be subject to the rules of limitation contained in this Act.

(2) No rule of limitation in force in the State of Jammu and Kashmir or in a foreign country shall be a defence to a suit instituted in the said territories on a contract entered into in that State or in a foreign country unless—

- (a) the rule has extinguished the contract; and
- (b) the parties were domiciled in that state or in the foreign country during the period prescribed by such rule.

PART III

COMPUTATION OF PERIOD OF LIMITATION

12. Exclusion of time in legal proceedings.—(1) In computing the period of limitation for any suit, appeal or application, the day from which such period is to be reckoned, shall be excluded. ^{→ period excluded → last men add}

(2) In computing the period of limitation for an appeal or an application for leave to appeal or for revision or for review of a judgment, the day on which the judgment complained of was pronounced and the time requisite for obtaining a copy of the decree, sentence or order appealed from or sought to be revised or reviewed shall be excluded.

(3) Where a decree or order is appealed from or sought to be revised or reviewed, or where an application is made for leave to appeal from a decree or order, the time requisite for obtaining a copy of the judgment [***] shall also be excluded. ^{→ time for copy agency mem lodged wo add time}

(4) In computing the period of limitation for an application to set aside an award, the time requisite for obtaining a copy of the award shall be excluded.

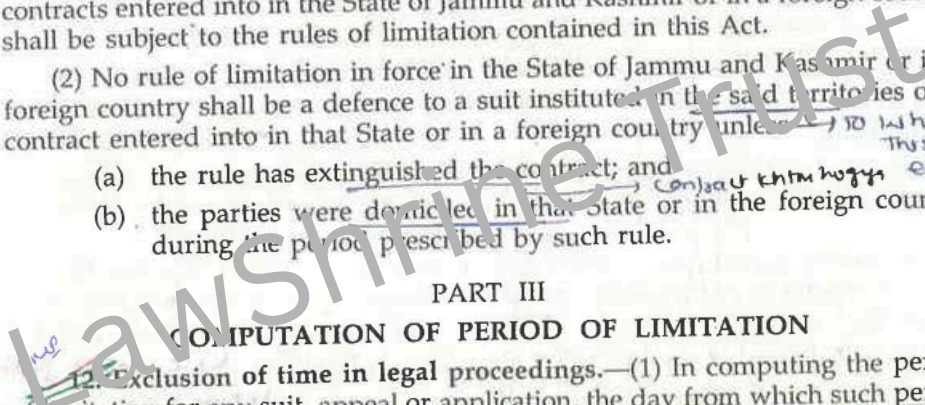
1. The words "on which the decree or order is founded" omitted by Act 46 of 1999, sec. 33 (w.e.f. 1-7-2002).

Jo N. Surti v. T.C. Chettyar — appeal decree
state of UP v. Maharaaj naran —
copy of judgment, b

→ kal copy hai to

→ ko si sey baap ap logo wo

and us ki copy mein jo sum excluded.



Explanation.—In computing under this section the time requisite for obtaining a copy of a decree or an order, any time taken by the court to prepare the decree or order before an application for a copy thereof is made shall not be excluded.

COMMENTS

Exclusion of time in legal proceedings

It is now well-settled that under section 12(2) of the Act, read with the *Explanation*, the appellant is not entitled to exclude the time that had elapsed from the date of the judgment till signing of the decree prior to his application for a copy thereof in computing the period of limitation prescribed for filing the appeal; *State of Assam v. Gobinda Chandra Paul*, AIR 1991 Gau 104. "Time requisite" U/s 12(2) → actual time consumed.

In computing the period of limitation prescribed for an appeal, the day on which the judgment or order complained was pronounced and the time taken by the court available the copy applied for have to be excluded. There is no justification for restricting the scope of that provision; *State of Uttar Pradesh v. Maharaja Narain*, AIR 1968 SC 960.

Requirements of section

The question whether the appeal preferred was in time or not should be considered on the basis of information available from the copy of the judgment and decree filed along with the memorandum of Appeal and not from other copies which the party might have got and used for other purposes with which the court has nothing to do; *State of Uttar Pradesh v. Maharaja Narain*, AIR 1968 SC 960.

Scope

The limitation for filing an appeal commences from the date of the judgment and not from the date the decree is signed; *Basavarajappa v. M.S. Channappa*, (1991) 2 CCC 20 (Karn).

A person cannot get exclusion of the period that elapsed between pronouncements of the judgment and the signing of the decree if he made the application for a copy only after preparation of the decree; *Udayan Chinubhai v. R.C. Bali*, AIR 1977 SC 2319.

Time requisite: Meaning

The expression 'time requisite' in sub-section (2) of section 12 cannot be understood as the time absolutely necessary for obtaining the copy of the order and that what is deductible under sub-section (2) of section 12 is not the minimum time within which a copy of the order appealed against could have been obtained; *Commissioner of Sales Tax, Uttar Pradesh v. Madanlal & Sons*, AIR 1977 SC 523.

13. **Exclusion of time in cases where leave to sue or appeal as a pauper is applied for.**—In computing the period of limitation prescribed for any (suit) or (appeal) in any case where an application for leave to sue or appeal as a pauper has been made and rejected, the time during which the applicant has been prosecuting in good faith his application for such leave shall be excluded, and the court may, on payment of the court fees prescribed for such suit or appeal, treat the suit or appeal as having the same force and effect as if the court fees had been paid in the first instance. (reject hai har iste baad fees bhari to wo tabki maal si jayegi, ki starting mein hi bhardi)

14. **Exclusion of time of proceeding bona fide in court without jurisdiction.**— (1) In computing the period of limitation for any suit the time during which the plaintiff has been prosecuting with due diligence another civil proceeding, whether in a court of first instance or of appeal or revision, against the defendant shall be excluded, where the proceeding relates to the same matter in issue and is prosecuted in good faith in a court which, from defect of jurisdiction or other cause of a like nature, is unable to entertain it.

Suit appeal

Technical
Primary
Secondary
Tertiary

(2) In computing the period of limitation for any application, the time during which the applicant has been prosecuting with due diligence another civil proceeding, whether in a court of first instance or of appeal or revision, against the same party for the same relief shall be excluded, where such proceeding is prosecuted in good faith in a court which, from defect of jurisdiction or other cause of a like nature, is unable to entertain it.

(3) Notwithstanding anything contained in rule 2 of Order XXIII of the Code of Civil Procedure, 1908 (5 of 1908), the provisions of sub-section (1) shall apply in relation to a fresh suit instituted on permission granted by the court under rule 1 of that Order where such permission is granted on the ground that the first suit must fail by reason of a defect in the jurisdiction of the court or other cause of a like nature.

R₂
Explanation.—For the purposes of this section,—

- 0-3 → withdrawn or adjustment of suit*
- (a) in excluding the time during which a former civil proceeding was pending, the day on which that proceeding was instituted and the day on which it ended shall both be counted;
 - (b) a plaintiff or an applicant resisting an appeal shall be deemed to be prosecuting a proceeding; *→ agor of indent appeal kord k jurisdiction ma ho ad*
 - (c) misjoinder of parties or of causes of action shall be deemed to be a cause of a like nature with defect of jurisdiction.

COMMENTS

Defect of jurisdiction

Where the party failed in the earlier proceedings on merit and not on defect of jurisdiction or other causes of a like nature, it would not be entitled to the benefit of section 14 of the Act; *Partap Singh Chauhan v. Onida Savak Ltd.*, AIR 2003 Del 252.

Good faith and diligence

The expression 'good faith' qualifies prosecuting the proceeding in the court which ultimately is found to have no jurisdiction. Failure to pay the requisite court fee found short on a contention being raised or the error of judgment in valuing a suit filed before a court which was ultimately found to have no jurisdiction has absolutely nothing to do with the question of good faith in prosecuting the suit in section 14; *Vijay Kumar Rampal v. Diwan Devi*, AIR 1985 SC 1669.

Scope

When a party has been *bona fide* pursuing a wrong remedy, it would be a fit case for applying the principle embodied in section 14 of the Act; *Vaditho Anantharao Naik v. Bhoomisetty Rajaiah*, (1994) 2 CCC 45 (AP).

Sections 5 and 14

Sections 5 and 14 of the Act, though independent, are not mutually exclusive. Even in a case where section 14 applies, section 5 is not excluded; *Samuel Joseph v. Ramachandran Chellayyan*, (1991) 1 CCC 583 (Ker).

proci not applicable to appeal
15. Exclusion of time in certain other cases.—(1) In computing the period of limitation of any suit or application for the execution of a decree, the institution or execution of which has been stayed by injunction or order, the time of the continuance of the injunction or order, the day on which it was issued or made, and the day on which it was withdrawn, shall be excluded.

041 R5-6

15(3) → liquidator / receiver filing suit against Smbdy

(2) In computing the period of limitation for any suit of which notice has been given, or for which the previous consent or sanction of the Government or any other authority is required, in accordance with the requirements of any law for the time being in force, the period of such notice or, as the case may be, the time required for obtaining such consent or sanction shall be excluded.

Explanation.—In excluding the time required for obtaining the consent or sanction of the Government or any other authority, the date on which the application was made for obtaining the consent or sanction and the date of receipt of the order of the Government or other authority shall both be counted.

(3) In computing the period of limitation for any suit or application for execution of a decree by any receiver or interim receiver appointed in proceedings for the adjudication of a person as an insolvent or by any liquidator or provisional liquidator appointed in proceedings for the winding up of a company, the period beginning with the date of institution of such proceeding and ending with the expiry of three months from the date of appointment of such receiver or liquidator, as the case may be, shall be excluded.

(4) In computing the period of limitation for a suit for possession by a purchaser at a sale in execution of a decree, the time during which a proceeding to set aside the sale has been prosecuted shall be excluded.

(5) In computing the period of limitation for any suit the time during which the defendant has been absent from India and from the territories outside India under the administration of the Central Government shall be excluded.

↓ suit by filed by liquidator in winding up of company to set aside sale

↑ procedure of appointment of liquidator

Scope

It is a well settled principle that when the law prescribes more than one mode of execution, it is for the decree-holder to choose which of them he will pursue; Anandilal v. Ram Narain, AIR 1984 SC 1383.

16. Effect of death on or before the accrual of the right to sue.—(1) Where a person who would, if he were living, have a right to institute a suit or make an application dies before the right accrues, or where a right to institute a suit or make an application accrues only on the death of a person, the period of limitation shall be computed from the time when there is a legal representative of the deceased capable of instituting such suit or making such application.

↓ name to be used as a close heir

↑ name to be used as a close heir

(2) Where a person against whom, if he were living, a right to institute a suit or make an application would have accrued dies before the right accrues, or where a right to institute a suit or make an application accrues only on the death of a person, the period of limitation shall be computed from the time when there is a legal representative of the deceased capable of instituting such suit or making such application.

↑ another

Provisions contained in sec 16 are not applicable to suits to enforce rights of pre-emption or suits for or of the possession of immovable property or of a hereditary office

(3) Nothing in sub-section (1) or sub-section (2) applies to suits for the possession of immovable property or to suits for the possession of a hereditary office.

17. Effect of fraud or mistake.—(1) Where, in the application for which a period of limitation is prescribed by this Act, the claimant has been misled by fraud or mistake, the period of limitation shall be computed from the date when the fraud or mistake was discovered by the claimant.

↑ appeal not covered

by defendant

↑ applicable as defendant

Fraud / mistake / concealment

Summary

- (a) the suit or application is based upon the fraud of the defendant or respondent or his agent; or
- (b) the knowledge of the right or title on which a suit or application is founded is concealed by the fraud of any such person as aforesaid; or
- (c) the suit or application is for relief from the consequences of a mistake; or
- (d) where any document necessary to establish the right of the plaintiff or applicant has been fraudulently concealed from him,

the period of limitation shall not begin to run until plaintiff or applicant has discovered the fraud or the mistake or could, with reasonable diligence, have discovered it; or in the case of a concealed document, until the plaintiff or the applicant first had the means of producing the concealed document or compelling its production:

Provided that nothing in this section shall enable any suit to be instituted or application to be made to recover or enforce any charge against, or set aside any transaction affecting, any property which—

- (i) in the case of fraud, has been purchased for valuable consideration by a person who was not a party to the fraud and did not at the time of the purchase know, or have reason to believe, that any fraud had been committed, or
- (ii) in the case of mistake, has been purchased for valuable consideration subsequently to the transaction in which the mistake was made, by a person who did not know, or have reason to believe, that the mistake had been made, or
- (iii) in the case of a concealed document, has been purchased for valuable consideration by a person who was not a party to the concealment and, did not at the time of purchase know, or have reason to believe, that the document had been concealed.

(2) Where a judgment-debtor has, by fraud or force, prevented the execution of a decree or order within the period of limitation, the court may, on the application of the judgment-creditor made after the expiry of the said period extend the period for execution of the decree or order:

Provided that such application is made within one year from the date of the discovery of the fraud or the cessation of force, as the case may be.

COMMENTS

Recovery of mortgage amount

Where fraud is proved against one of the judgment-debtor, the decree holder can avail of it even against the legal representative of such judgment-debtor. Since the fraud was committed by the respondent herein which prevented the petitioner from filing the execution petition and realising the decree among within a period of twelve years, therefore, the time taken for setting aside the decree in suit has to be excluded; S. Pechiyammal v. N. Gnanasundaram Nadar, AIR 1995 Mad 372.

18. Effect of acknowledgment in writing.—(1) Where, before the expiration of the prescribed period for a suit or application in respect of any property or right, an acknowledgment of liability in respect of such property or right has

Handwritten notes in red ink:

- Top right: *fraud ke baad dekho*
- Next to (a): *fraud*
- Next to (b): *knowledge of the right or title*
- Next to (c): *both party acted in mistake - void or declaration (when party don't know of mistake has)*
- Next to (d): *fraudulently concealed*
- Under "discovered": *fraud ho*
- Under "mistake": *le mistake*
- Under "concealed document": *le document chhupa hua*
- Under "means of producing": *le compensation*
- Under "judgment-debtor": *le judgment debtor*
- Under "decree holder": *le decree holder*
- Under "S. Pechiyammal v. N. Gnanasundaram Nadar": *exclusionary provision apply*
- Under "18. Effect of acknowledgment in writing": *date is imp.*
- Under "(1) Where, before the expiration...": *acknowledgment*
- Under "an acknowledgment of liability": *liability*
- Bottom right: *liability to pay is not required*
- Bottom right: *le liable hun ye hojaye has.*

encl no 91/92

Sec 19 → doctrine of acknowledgment evidence as

Sec. 19]

The Limitation Act, 1963

Sec 19 of the Limitation Act 1963, the part

been made in writing signed by the party against whom such property is claimed, or by any person through whom he derives his title or fresh period of limitation shall be computed from the time acknowledgment was so signed.

Payment extends period of limitation from the date of making evidencing payment

(2) Where the writing containing the acknowledgment is und evidence may be given of the time when it was signed; but subject provisions of the Indian Evidence Act, 1872 (1 of 1872), oral evidence contents shall not be received.

Explanation.—For the purposes of this section,—

- (a) an acknowledgment may be sufficient though it omits to state exact nature of the property or right, or avers that the payment, delivery, performance or enjoyment has not yet accompanied by a refusal to pay, deliver, perform or enjoy, or is coupled with a claim to set-off, or is addressed to a person other than a person entitled to the property or right;
- (b) the word "signed" means signed either personally or by an agent duly authorised in this behalf; and
- (c) an application for the execution of a decree or order shall not be deemed to be an application in respect of any property or right.

व्यक्ति को बंधन होना
liable
हम
मत
can be
नियंत्रण

adjustment

COMMENTS

Essentials of acknowledgment

As per section 18, acknowledgment can be with respect to not only property or right but it can be even with respect to the liability; *Mun. Lakshminarayan v. LRs of Goswami Brij Bhushan, AIR 2003 NOC 72 (Raj)*

Tilakram v. ...
Mun. Lakshminarayan v. LRs of Goswami Brij

Requirements of acknowledgment

As the suit was not filed within three years from the date of breach of the contract, the suit could be maintainable only if there was acknowledgment under section 18 of the Act. *P.K. Fadhni v. Canara Bank, AIR 2003 Ker 140.*

9. Effect of payment on account of debt or of interest on legacy.—Where payment on account of a debt or of interest on a legacy is made before the expiration of the prescribed period by the person liable to pay the debt or legacy or by his agent duly authorised in this behalf, a fresh period of limitation shall be computed from the time when the payment was made:

only money

only about money

Provided that, save in the case of payment of interest made before the 1st day of January, 1928, an acknowledgment of the payment appears in the handwriting of, or in a writing signed by, the person making the payment.

Explanation.—For the purposes of this section,—

- (a) where mortgaged land is in the possession of the mortgagee, the receipt of the rent or produce of such land shall be deemed to be a payment; → means profits would be deemed as part payment
- (b) "debt" does not include money payable under a decree or order of a court.

पैसे
पेक्षा
Signature
नहीं
mandatory

Jointly held creditor

COMMENTS

Debt Recovery

The appellant does not have a case that the debt against the principal debtor had become barred at the time when recovery proceedings were initiated against him. Even otherwise, since the compensation amount for acquisition of the property mortgaged by the principal debtor was credited to the loan account with the KFC. This payment would certainly be a payment as contemplated under section 19 of the Limitation Act; *C.P. Sreelal v. District Collector, Thiruvananthapuram, AIR 2007 Ker 131.*

Pooja Kumari v. Premchand Jain
Jagdish Lal Arora v. Ramshankar Agarwal

Chq date

Acknowledgment

Where the statement is relied on as expressing final relationship it must show that it was made with the intention of admitting such final relationship subsisting at the time when it was made; *Tilak Ram v. Nathu, AIR 1967 SC 935.*

Applicability

Where a document can be construed as an acknowledgment of loan, section 19 of the Act, comes into play; *Narasingha Sahu v. Banka Bihari Sanskrit College*, (1994) 2 CCC 464 (Ori).

Cheque

Where a post-dated cheque is accepted conditionally and it is honoured, the payment for purpose of section 19 can only be on the date which the cheque bears and cannot be on the date the cheque is handed over; *Jiwanlal Achariya v. Rameshwar Lal Agarwala*, AIR 1967 SC 1118.

Prescribed period

For reasons of policy the Legislature insists on a written or signed acknowledgment as the only proof of payment and excludes oral testimony; *Sant Lal Mahton v. Kamala Prasad*, AIR 1951 SC 477.

Scope

The statement on which the plea of acknowledgment is founded must relate to a subsisting liability as the section requires that it must be made before the expiration of the period prescribed under the Act. It need not, however, amount to a promise to pay, for an acknowledgment does not create a new right of action but merely extends the period of limitation. The statement need not indicate the exact nature or the specific character of the liability. The words used in the statement in question, however, must relate to a present subsisting liability and indicate the existence of jural relationship between the parties, such as, for instance, that of a debtor and a creditor and the intention to admit such jural relationship. Such an intention need not be in express terms and can be inferred by implication from the nature of the admission and the surrounding circumstances; *Lakshmiratan Cotton Mills Co. Ltd. v. Aluminium Corpn.*, AIR 1971 SC 1482.

20. Effect of acknowledgment or payment by another person.—(1) The expression "agent duly authorised in this behalf" in sections 18 and 19 shall, in the case of a person under disability, include his lawful guardian, committee or manager or an agent duly authorised by such guardian, committee or manager to sign the acknowledgment or make the payment.

If they acknowledge it will not be bind on other party except jointly

(2) Nothing in the said sections renders one of several joint contractors, partners, executors or mortgagees chargeable by reason only of a written acknowledgment signed by, or of a payment made by, or by the agent, of, any other or others of them. *Sec 18/19*

(3) For the purposes of the said sections,—

- (a) an acknowledgment signed or a payment made in respect of any liability by or by the duly authorised agent of, any limited owner of property who is governed by Hindu law, shall be a valid acknowledgment or payment, as the case may be, against a reversioner succeeding to such liability; and *→ real life estate*
- (b) where a liability has been incurred by or on behalf of a Hindu undivided family as such, an acknowledgment or payment made by, or by the duly authorised agent of, the manager of the family for the time being shall be deemed to have been made on behalf of the whole family. *→ same*

add for sake had if omission is in good faith

21. Effect of substituting or adding new plaintiff or defendant.—(1) Where after the institution of a suit, a new plaintiff or, defendant is substituted or added, the suit shall, as regards him, be deemed to have been instituted when he was so made a party: *applican burden court disburd*

Provided that where the court is satisfied that the omission to include a new plaintiff or defendant was due to a mistake made in good faith it may direct that the suit as regards such plaintiff or defendant shall be deemed to have been instituted on any earlier date. *→ date of filing suit*

Jointly deemed to be on date of joining but act to suit will be deemed on earlier date

Konappaswamy v C Ramasamy
Kamalingam chettiar v P. Ramu
→ separate applican

(2) Nothing in sub-section (1) shall apply to a case or substituted owing to assignment or devolution of a pendency of a suit or where a plaintiff is made a defendant or where a defendant is made a plaintiff.

Sec 25
 ↳ does not apply to
 transposition of parties
 ③ U/s 21, sub-sec 1, suit against newlyimpleaded party shall be deemed to be instituted on the day on which the party was impleaded.

COMMENTS

Order 1, Rule 10, CPC—Death of defendant

Where in ignorance of death of a person, suit is filed, legal record subsequently. Section 21 of the Limitation Act would apply. *Food Industries, AIR 2007 (DOC) 8 (Del).*

right on Nanak
 be deemed
 to be instituted
 on the day on
 which the party
 was impleaded.

Order 1, Rule 10, CPC - Addition of parties

If a proper or necessary party was not impleaded on account of good faith the party can be impleaded under Order 1, Rule 10, Procedure, 1908 subject to the limitation being decided at the time of the suit; *Gummidi Ramulu v. Gadey Srinivasa Rao, (1994) 2 CCC 271 (Ker).*

Scope

It is the original institution that counts for everything including change of position will not affect limitation so far as a party who was already on record; *James Machintosh & Co. Pvt. Ltd. v. Shree Yamuna Mills Co. Ltd., (1991) 2 CCC 205 (Ker).*

22. Continuing breaches and torts.—In the case of a continuing breach of contract or in the case of a continuing tort, a fresh period of limitation begins to run at every moment of the time during which the breach or the tort, as the case may be, continues.

COMMENTS

Continuing wrong

A suit for damages for wrongful detention of goods is based on different footing vis-a-vis continuing wrong. The period of limitation would run from time when property is wrongfully taken; *Sankar Dastidar v. Banjula Dostidar, AIR 2007 SC 514.*

23. Suits for compensation for acts not actionable without special damage.—In the case of a suit for compensation for an act which does not give rise to a cause of action unless some specific injury actually results therefrom, the period of limitation shall be computed from the time when the injury results.

24. Computation of time mentioned in instruments.—All instruments shall for the purposes of this Act be deemed to be made with reference to the Gregorian calendar.

PART IV

ACQUISITION OF OWNERSHIP BY POSSESSION

25. Acquisition of easement by prescription.—(1) Where the access and use of light or air to and for any building have been peaceably enjoyed therewith as an easement, and as of right, without interruption, and for twenty years, and where any way or watercourse or the use of any water or any other easement (whether affirmative or negative) has been peaceably and openly enjoyed by any person claiming title thereto as an easement and as of right without interruption and for twenty years, the right to such access and use of light or air, way, watercourse, use of water, or other easement shall be absolute and indefeasible.

(2) Each of the said periods of twenty years shall be taken to be a period ending within two years next before the institution of the suit wherein the claim to which such period relates is contested.

(3) Where the property over which a right is claimed under sub-section (1) belongs to the Government that sub-section shall be read as if for the words "twenty years" the words "thirty years" were substituted.

Explanation.—Nothing is an interruption within the meaning of this section, unless where there is an actual discontinuance of the possession or enjoyment by reason of an obstruction by the act of some person other than the claimant, and unless such obstruction is submitted to or acquiesced in for one year after the

claimant be made of the person making or authorising the same to

STATE AMENDMENT
is repealed.

of 1967, sec. 3 (w.e.f. 31-8-1967)].
in favour of reversioner of servient tenement.—Where any
land over or from, which any easement has been enjoyed or
derive under or by virtue of any interest for life or in terms of
years from the granting thereof the time of the enjoyment
of such interest or term shall be
excluded after the determination of such interests or term resisted
within a period of twenty years from the date of such determination to the said land or water.

STATE AMENDMENT
Orissa.—Section 20 is repealed.

[Vide Orissa Act 24 of 1967, sec. 3 (w.e.f. 31-8-1967)].

27. Extinguishment of right to property.—At the determination of the
period hereby limited to any person for instituting a suit for possession of any
property, his right to such property shall be extinguished.

COMMENTS

Adverse Possession
The plaintiff must plead and prove the date on and from which he claims to be in
exclusive, continuous and undisturbed possession and also that such possession was
actual and to the knowledge of the real owner. He has also to show hostile title and
communicate it to the real owner; *Krishnamurthy S. Setty v. O.V. Nasimha Setty*, (2007)
3 SCC 569.

PART V
MISCELLANEOUS

28. Amendment of certain Acts.—[Rep. by the Repealing and Amending Act,
1974 (56 of 1974), sec. 2 and First Sch. (w.e.f. 20-12-1974).]

29. Savings.—(1) Nothing in this Act shall affect section 25 of the Indian
Contract Act, 1872 (9 of 1872).

(2) Where any special or local law prescribes for any suit, appeal or
application a period of limitation different from the period prescribed by the
Schedule, the provisions of section 3 shall apply as if such period were the
period prescribed by the Schedule and for the purpose of determining any
period of limitation prescribed for any suit, appeal or application by any special
or local law, the provisions contained in sections 4 to 24 (inclusive) shall apply
only in so far as, and to the extent to which, they are not expressly excluded by
such special or local law.

(3) Save as otherwise provided in any law for the time being in force with
respect to marriage and divorce, nothing in this Act shall apply to any suit or
other proceeding under any such law.

(4) Sections 25 and 26 and the definition of "easement" in section 2 shall not
apply to cases arising in the territories to which the Indian Easements Act, 1882
(5 of 1882), may for the time being extend.

30. Provision for suits, etc., for which the prescribed period is shorter than
the period prescribed by the Indian Limitation Act, 1908.—Notwithstanding
anything contained in this Act,—

(a) any suit for which the period of limitation is shorter than the period
of limitation prescribed by the Indian Limitation Act, 1908 (9 of
1908), may be instituted within a period of ¹[seven years] next after

1. Subs. by Act 10 of 1969, sec. 2(a), for "five years" (w.r.e.f. 1-1-1964).

General rule
in that "the law
of limitation only
bars the remedy
but does not
extinguish the
rights itself"
exception to
this rule is to
be found in
Sec 27 of
Limitation
act

A suit for possession of
immovable property
based on title can
be filed
within
7 yrs

the commencement of this Act or within the period prescribed for such suit by the Indian Limitation Act, 1908 (9 of 1908), whichever period expires earlier:

¹[Provided that if in respect of any such suit, the said period of seven years expires earlier than period of limitation prescribed therefor under the Indian Limitation Act, 1908 (9 of 1908) and the said period of seven years together with so much of the period of limitation in respect of such suit under the Indian Limitation Act, 1908 (9 of 1908), as has already expired before the commencement of this Act is shorter than the period prescribed for such suit under this Act, then, the suit may be instituted within the period of limitation prescribed therefor under this Act;]

- (b) any appeal or application for which the period of limitation is shorter than the period of limitation prescribed by the Indian Limitation Act, 1908 (9 of 1908), may be preferred or made within a period of ninety days next after the commencement of this Act or within the period prescribed for such appeal or application by the Indian Limitation Act, 1908, whichever period expires earlier.

STATE AMENDMENT

(Modification under Article 371F of the Constitution of India)

Sikkim.—For section 30, substitute the following section, namely:—

“30. Notwithstanding anything contained in this Act, any suit, appeal or application, which could be instituted, preferred or made before the commencement of this Act and for which the period of limitation is shorter than the period provided therefor by the law in Sikkim immediately before such commencement, may be instituted, preferred or made within the period provided by such law.”

[Vide Gazette of India, Extra., Pt. II, Sec. 3(ii), p. 4 (No. 329), dated 29th July, 1983 (w.e.f. 22-7-1983).]

31. Provisions as to barred or pending suits, etc.—Nothing in this Act shall,—

- (a) enable any suit, appeal or application to be instituted, preferred or made, for which the period of limitation prescribed by the Indian Limitation Act, 1908 (9 of 1908), expired before the commencement of this Act; or
- (b) affect any suit, appeal or application instituted, preferred or made before, and pending at, such commencement.

STATE AMENDMENT

(Modification under Article 371F of the Constitution of India)

Sikkim.—In section 31, in clause (a), for the words “Indian Limitation Act, 1908 (9 of 1908), expired before the commencement of this Act”, substitute the words “law in force in Sikkim immediately before the commencement of this Act, expired before such commencement”.

[Vide Gazette of India, Extra., Pt. II, Sec. 3(ii), p. 4 (No. 329), dated 29th July, 1983 (w.e.f. 22-7-1983).]

32. Repeal.—[Rep. by the Repealing and Amending Act, 1974 (56 of 1974), sec. 2 and First Sch. (w.e.f. 20-12-1974).]

1. Ins. by Act 10 of 1969, sec. 2(b) (w.e.f. 26-3-1969).

30 years
POL for execution of a decree passed in suit for partition
Commenced - from the date of final decree.

THE SCHEDULE
PERIODS OF LIMITATION

[See sections 2(j) and 3]

FIRST DIVISION—SUITS

Description of suit	Period of limitation	Time from which period begins to run
PART I—SUITS RELATING TO ACCOUNTS (3) years		
1. For the balance due on a mutual, open and current account, where there have been reciprocal demands between the parties.	Three years	The close of the year in which the last item admitted or proved is entered in the account; such year to be computed as in the account.
2. Against a factor for an account.	Three years	When the account is, during the continuance of the agency, demanded and refused or, where no such demand is made, when the agency terminates.
3. By a principal against his agent for movable property received by the latter and not accounted for.	Three years	When the account is, during the continuance of the agency, demanded and refused or, where no such demand is made, when the agency terminates.
4. Other suits by principals against agents for neglect or misconduct.	Three years	When the neglect or misconduct becomes known to the plaintiff.
5. For an account and a share of the profits of a dissolved partnership.	Three years	The date of the dissolution.
PART II—SUITS RELATING TO CONTRACTS		
6. For a Seaman's wages.	Three years	The end of the voyage during which the wages are earned.
7. For wages in the case of any other person.	Three years	When the wages accrue due.
8. For the price of food or drink sold by the keeper of a hotel, tavern or lodging house.	Three years	When the food or drink is delivered.
9. For the price of lodging.	Three years	When the price becomes payable.
10. Against a carrier for compensation for losing or injuring goods.	Three years	When the loss or injury occurs.

Description of suit	Period of limitation	Time from which period begins to run
11. Against a carrier for compensation for non-delivery of, or delay in delivering goods.	Three years	When the goods ought to be delivered.
12. For the hire of animals, vehicles, boats or house-hold furniture.	Three years	When the hire becomes payable.
13. For the balance of money advanced in payment of goods to be delivered.	Three years	When the goods ought to be delivered.
14. For the price of goods sold and delivered where no fixed period of credit is agreed upon.	Three years	The date of the delivery of the goods.
15. For the price of goods sold and delivered to be paid for after the expiry of a fixed period of credit.	Three years	When the period of credit expires.
16. For the price of goods sold and delivered to be paid for by a bill of exchange, no such bill being given.	Three years	When the period of the proposed bill elapses.
17. For the price of trees or growing crops sold by the plaintiff to the defendant where no fixed period of credit is agreed upon.	Three years	The date of the sale.
18. For the price of work done by the plaintiff for the defendant at his request, where no time has been fixed for payment.	Three years	When the work is done.
19. For money payable for money lent.	Three years	When the loan is made.
20. Like suit when the lender has given a cheque for the money.	Three years	When the cheque is paid.
21. For money lent under an agreement that it shall be payable on demand.	Three years	When the loan is made.
22. For money deposited under an agreement that it shall be	Three years	When the demand is made.

Description of suit	Period of limitation	Time from which period begins to run
payable on demand, including money of a customer in the hands of his banker so payable.		
23. For money payable to the plaintiff for money paid for the defendant.	Three years	When the money is paid.
24. For money payable by the defendant to the plaintiff for money received by the defendant, for the plaintiff's use.	Three years	When the money is received.
25. For money payable for interest upon money due from the defendant to the plaintiff.	Three years	When the interest becomes due.
26. For money payable to the plaintiff for money found to be due from the defendant to the plaintiff on accounts stated between them.	Three years	When the accounts are stated in writing signed by the defendant or his agent duly authorised in this behalf, unless where the debt is, by a simultaneous agreement in writing signed as aforesaid, made payable at a future time, and then when that time arrives.
27. For compensation for breach of a promise to do anything at a specified time, or upon the happening of a specified contingency.	Three years	When the time specified arrives or the contingency happens.
28. On a single bond, where a day is specified for payment.	Three years	The day so specified.
29. On a single bond, where no such day is specified.	Three years	The date of executing the bond.
30. On a bond subject to a condition.	Three years	When the condition is broken.
31. On a bill of exchange or promissory note payable at a fixed time after date.	Three years	When the bill or note falls due.

Description of suit	Period of limitation	Time from which period begins to run
32. On a bill of exchange payable at sight, or after sight, but not at a fixed time.	Three years	When the bill is presented.
33. On a bill of exchange accepted payable at a particular place.	Three years	When the bill is presented at that place.
34. On a bill of exchange or promissory note payable at a fixed time, after sight or after demand.	Three years	When the fixed time expires.
35. On a bill of exchange or promissory note payable on demand and not accompanied by any writing restraining or postponing the right to sue.	Three years	The date of the bill or note.
36. On a promissory note or bond payable by instalments.	Three years	The expiration of the first term of payment as to the part then payable; and for the other parts, the expiration of the respective terms of payment.
37. On a promissory note or bond payable by instalments, which provides that, if default be made in payment of one or more instalments, the whole shall be due.	Three years	When the default is made, unless where the payee or obligee waives the benefit of the provision and then when fresh default is made in respect of which there is no such waiver.
38. On a promissory note given by the maker to a third person to be delivered to the payee after a certain event should happen.	Three years	The date of the delivery to the payee.
39. On a dishonoured foreign bill where protest has been made and notice given.	Three years	When the notice is given.
40. By the payee against the drawer of a bill of exchange, which has been dishonoured by non-acceptance.	Three years	The date of the refusal to accept.

Description of suit	Period of limitation	Time from which period begins to run
41. By the acceptor of an accommodation bill against the drawer.	Three years	When the acceptor pays the amount of the bill.
42. By a surety against the principal debtor.	Three years	When the surety pays the creditor.
43. By a surety against a co-surety.	Three years	When the surety pays anything in excess of his own share.
44. (a) On a policy of insurance when the sum insured is payable after proof of the death has been given to or received by the insurers.	Three years	The date of the death of the deceased, or where the claim on the policy is denied, either partly or wholly, the date of such denial.
(b) On a policy of insurance when the sum insured is payable after proof of the loss has been given to or received by the insurers.	Three years	The date of the occurrence causing the loss, or where the claim on the policy is denied, either partly or wholly, the date of such denial.
45. By the assured to recover premia paid under a policy voidable at the election of the insurer.	Three years	When the insurers elect to avoid the policy.
46. Under the Indian Succession Act, 1925 (39 of 1925), section 360 or section 361, to compel a refund by a person to whom an executor or administrator has paid a legacy or distributed assets.	Three years	The date of the payment or distribution.
47. For money paid upon an existing consideration which afterwards fails.	Three years	The date of the failure.
48. For contribution by a party who has paid the whole or more than his share of the amount due under a joint decree, or by a sharer in a joint estate who has paid the whole or more than his share of the amount of revenue due from himself and his co-sharers.	Three years	The date of the payment in excess of the plaintiff's own share.

Description of suit	Period of limitation	Time from which period begins to run
49. By a co-trustee to enforce against the estate of a deceased trustee a claim for contribution.	Three years	When the right to contribution accrues.
50. By the manager of a joint estate of an undivided family for contribution, in respect of a payment made by him on account of the estate.	Three years	The date of the payment.
51. For the profits of immovable property belonging to the plaintiff which have been wrongfully received by the defendant.	Three years	When the profits are received.
52. For arrears of rent.	Three years	Where the arrears become due.
53. By a vendor of immovable property for personal payment of unpaid purchase-money.	Three years	The time fixed for completing the sale, or (where the title is accepted after the time fixed for completion) the date of the acceptance.
54. For specific performance of a contract.	Three years	The date fixed for the performance, or, if no such date is fixed, when the plaintiff has notice that performance is refused.
55. For compensation for the breach of any contract, express or implied not herein specially provided for.	Three years	When the contract is broken or (where there are successive breaches) when the breach in respect of which the suit is instituted occurs or (where the breach is continuing) when it ceases.

PART III—SUITS RELATING TO DECLARATIONS

56. To declare the forgery of an instrument issued or registered.	Three years	When the issue or registration becomes known to the plaintiff.
57. To obtain a declaration that an alleged adoption is invalid, or never, in fact, took place.	Three years	When the alleged adoption becomes known to the plaintiff.
58. To obtain any other declaration.	Three years	When the right to sue first accrues.

Description of suit	Period of limitation	Time from which period begins to run
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PART IV—SUITS RELATING TO DECREES AND INSTRUMENTS

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|---|-------------|---|
| 59. To cancel or set aside an instrument or decree or for the rescission of a contract. | Three years | When the facts entitling the plaintiff to have the instrument or decree cancelled or set aside or the contract rescinded first become known to him. |
| 60. To set aside a transfer of property made by the guardian of a ward— | | |
| (a) by the ward who has attained majority. | Three years | When the ward attains majority. |
| (b) by the ward's legal representative— | | |
| (i) When the ward dies within three years from the date of attaining majority. | Three years | When the ward attains majority. |
| (ii) When the ward dies before attaining majority. | Three years | When the ward dies. |

PART V—SUITS RELATING TO IMMOVABLE PROPERTY

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|---|--------------|--|
| 61. By a mortgagor— | | |
| (a) to redeem or recover possession of immovable property mortgaged. | Thirty years | When the right to redeem or to recover possession accrues. |
| (b) to recover possession of immovable property mortgaged and afterwards transferred by the mortgagee for a valuable consideration. | Twelve years | When the transfer becomes known to the plaintiff. |
| (c) to recover surplus collections received by the mortgagee after the mortgage has been satisfied. | Three years | When the mortgagor re-enters on the mortgaged property |
| 62. To enforce payment of money secured by a mortgage or otherwise charged upon immovable property. | Twelve years | When the money sued for becomes due. |
| 63. By a mortgagee— | | |
| (a) for foreclosure. | Thirty years | When the money secured by the mortgage becomes due. |
| (b) for possession of immovable property mortgaged. | Twelve years | When the mortgagee becomes entitled to possession. |

Description of suit	Period of limitation	Time from which period begins to run
64. For possession of immovable property based on previous possession and not on title, when the plaintiff while in possession of the property has been dispossessed.	Twelve years	The date of dispossession.
65. For possession of immovable property or any interest therein based on title.	Twelve years	When the possession of the defendant becomes adverse to the plaintiff.

Explanation.—For the purposes of this article—

- (a) where the suit is by a remainderman, a reversioner (other than a landlord) or a devisee, the possession of the defendant shall be deemed to become adverse only when the estate of the remainderman, reversioner or devisee, as the case may be, falls into possession;
- (b) where the suit is by a Hindu or Muslim entitled to the possession of immovable property on the death of a Hindu or Muslim female, the possession of the defendant shall be deemed to become adverse only when the female dies;
- (c) where the suit is by a purchaser at a sale in execution of a decree when the judgment-debtor was out of possession at the date of the sale, the purchaser shall be deemed to be a representative of the judgment-debtor who was out of possession.

Compensation for
Murtad
Prosecution = 1 year

Review of a judgement

30 days

Description of suit	Period of limitation	Time from which period begins to run
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STATE AMENDMENTS

Bihar:

In its application to the Scheduled Areas, in Article 65, in the second column, the following words shall be added at the end, namely:—

“but 30 years in respect of immovable property belonging to a member of the Schedule Tribes as specified in Part III to the Schedule to the Constitution (Scheduled Tribes) Order, 1950”.

[Vide Bihar Regulation 1 of 1969, sec. 3 and Sch. (w.e.f. 8-2-1969).]

Orissa:

In its application to the Scheduled Areas, in Article 65, second column, following words shall be added at the end, namely:—

“but thirty years in relation to immovable property belonging to a member of a Scheduled Tribe specified in respect of the State of Orissa in the Constitution (Scheduled Tribes) Order, 1950”.

[Vide Orissa Regulation 1 of 1975, sec. 5 (w.e.f. 12-12-1975).]

66. For possession of immovable property when the plaintiff has become entitled to possession by reason of any forfeiture or breach of condition. Twelve years When the forfeiture is incurred or the condition is broken.

67. By a landlord to recover possession from a tenant. Twelve years When the tenancy is determined.

PART VI—SUITS RELATING TO MOVABLE PROPERTY

68. For specific movable property lost, or acquired by theft, or dishonest misappropriation or conversion. Three years When the person having the right to the possession of the property first learns in whose possession it is.
69. For other specific movable property. Three years When the property is wrongfully taken.
70. To recover movable property deposited or pawned from a depository or pawnee. Three years The date of refusal after demand.
71. To recover movable property deposited or pawned and afterwards bought from the depository or pawnee for a valuable consideration. Three years When the sale becomes known to the plaintiff.

PART VII—SUITS RELATING TO TORT.

72. For compensation for doing or for omitting to do an act alleged to be in pursuance of any enactment in force for the time being in the territories to which this Act extends. One year When the act or omission takes place.

Description of suit	Period of limitation	Time from which period begins to run
73. For compensation for false imprisonment.	One year	When the imprisonment ends.
74. For compensation for a malicious prosecution.	One year	When the plaintiff is acquitted or the prosecution is otherwise terminated.
75. For compensation for libel.	One year	When the libel is published.
76. For compensation for slander.	One year	When the words are spoken or, if the words are not actionable in themselves, when the special damage complained of results.
77. For compensation for loss of service occasioned by the seduction of the plaintiff's servant or daughter.	One year	When the loss occurs.
78. For compensation for inducing a person to break a contract with the plaintiff.	One year	The date of the breach.
79. For compensation for an illegal, irregular or excessive distress.	One year	The date of the distress.
80. For compensation for wrongful seizure of movable property under legal process.	One year	The date of the seizure.
81. By executors, administrators or representatives under the Legal Representatives' Suits Act, 1855 (12 of 1855).	One year	The date of the death of the person wronged.
82. By executors, administrators or representatives under the Indian Fatal Accidents Act, 1855 (13 of 1855).	Two years	The date of the death of the person killed.
83. Under the Legal Representatives' Suits Act, 1855 (12 of 1855) against an executor, an administrator or any other representative.	Two years	When the wrong complained of is done.

Description of suit	Period of limitation	Time from which period begins to run
84. Against one who, having a right to use property for specific purposes, perverts it to other purposes.	Two years	When the perversion first becomes known to the person injured thereby.
85. For compensation for obstructing a way or a water course.	Three years	The date of the obstruction.
86. For compensation for diverting a watercourse.	Three years	The date of the diversion.
87. For compensation for trespass upon immovable property.	Three years	The date of the trespass.
88. For compensation for infringing copyright or any other exclusive privilege.	Three years	The date of the infringement.
89. To restrain waste.	Three years	When the waste begins.
90. For compensation for injury caused by an injunction wrongfully obtained	Three years	When the injunction ceases.
91. For compensation, (a) for wrongfully taking or detaining any specific movable property lost, or acquired by theft, or dishonest misappropriation, or conversion.	Three years	When the person having the right to the possession of the property first learns in whose possession it is.
(b) for wrongfully taking or injuring or wrongfully detaining any other specific movable property.	Three years	When the property is wrongfully taken or injured, or when the detainer's possession becomes unlawful.
PART VIII—SUITS RELATING TO TRUSTS AND TRUST PROPERTY		
92. To recover possession of immovable property conveyed or bequeathed in trust and afterwards transferred by the trustee for a valuable consideration.	Twelve years	When the transfer becomes known to the plaintiff.
93. To recover possession of movable property conveyed or bequeathed in trust and	Three years	When the transfer becomes known to the plaintiff.

Description of suit	Period of limitation	Time from which period begins to run
afterwards transferred by the trustee for a valuable consideration.		
94. To set aside a transfer of immovable property comprised in a Hindu, Muslim or Buddhist religious or charitable endowment, made by a manager thereof, for a valuable consideration.	Twelve years	When the transfer becomes known to the plaintiff.
95. To set aside a transfer of movable property comprised in a Hindu, Muslim or Buddhist religious or charitable endowment, made by a manager thereof, for a valuable consideration.	Three years	When the transfer becomes known to the plaintiff.
96. By the manager of a Hindu, Muslim or Buddhist religious or charitable endowment to recover possession of movable or immovable property comprised in the endowment which has been transferred by a previous manager for a valuable consideration.	Twelve years	The date of death, resignation or removal of the transferor or the date of appointment of the plaintiff as manager of the endowment, whichever is later.

PART IX—SUITS RELATING TO MISCELLANEOUS MATTERS

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| 97. To enforce a right of pre-emption whether the right is founded on law or general usage or on special contract. | One year. | When the purchaser takes under the sale sought to be impeached, physical possession of the whole or part of the property sold, or, where the subject-matter of the sale does not admit of physical possession of the whole or part of the property, when the instrument of sale is registered. |
| 98. By a person against whom [an order referred to in the rule 63 or in rule 103] of Order XXI of the Code of Civil Procedure, 1908 (5 of 1908) or an order under section 28 of the | One year | The date of the final order. |

1. Subs. by Act 52 of 1964, sec. 3 and Second Sch., for "an order under rule 63 or rule 103" (w.e.f. 29-12-1964).

Description of suit	Period of limitation	Time from which period begins to run
Presidency Small Cause Courts Act, 1882 (15 of 1882) has been made, to establish the right which he claims to the property comprised in the order.		
99. To set aside a sale by a civil or revenue court or a sale for arrears of Government revenue or for any demand recoverable as such arrears.	One year	When the sale is confirmed or would otherwise have become final and conclusive had no such suit been brought.
100. To alter or set aside any decision or order of a civil court in any proceeding other than a suit or any act or order of an officer of Government in his official capacity.	One year	The date of the final decision or order by the court or the date of the act or order of the officer, as the case may be.
101. Upon a judgment including a foreign judgment or recognisance.	Three years	The date of the judgment or recognisance.
102. For property which the plaintiff has conveyed while insane.	Three years	When the plaintiff is restored to sanity and has knowledge of the conveyance.
103. To make good out of the general estate of a deceased trustee the loss occasioned by a breach of trust.	Three years	The date of the trustee's death or if the loss has not then resulted, the date of the loss.
104. To establish a periodically recurring right.	Three years	When the plaintiff is first refused the enjoyment of the right.
105. By a Hindu for arrears of maintenance.	Three years	When the arrears are payable.
106. For a legacy or for a share of a residue bequeathed by a testator or for a distributive share of the property of an intestate against an executor or an administrator or some other person legally charged with the duty of distributing the estate.	Twelve years	When the legacy or share becomes payable or deliverable.

Description of suit	Period of limitation	Time from which period begins to run
107. For possession of a hereditary office. <i>Explanation.</i> —A hereditary office is possessed when the properties thereof are usually received, or (if there are no properties) when the duties thereof are usually performed.	Twelve years	When the defendant takes possession of the office adversely to the plaintiff.
108. Suit during the life of a Hindu or Muslim female by a Hindu or Muslim, who if the female died at the date of instituting the suit, would be entitled to the possession of land, to have an alienation of such land made by the female declared to be void except for her life or until her re-marriage.	Twelve years	The date of the alienation.
109. By a Hindu governed by <i>Mitakshara</i> law to set aside his father's alienation of ancestral property.	Twelve years	When the alienee takes possession of the property.
110. By a person excluded from a joint family property to enforce a right to share therein:	Twelve years	When the exclusion becomes known to the plaintiff.
111. By or on behalf of any local authority for possession of any public street or road or any part thereof from which it has been dispossessed or of which it has discontinued the possession.	Thirty years	The date of the dispossession or discontinuance.
112. Any suit (except a suit before the Supreme Court in the exercise of its original jurisdiction) by or on behalf of the Central Government or any State Government, including the Government of the State of Jammu and Kashmir.	Thirty years	When the period of limitation would begin to run under this Act against a like suit by a private person.

① Limitation for processing an appeal to HC

Description of suit	Period of limitation	Time from which period begins to run
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STATE AMENDMENT

West Bengal:

In entry 112, in the first column, after the words "Jammu and Kashmir" the following words shall be and shall be deemed always to have been added, namely:—

"of a Government company owned wholly either by the Central Government or by the State Government or jointly by the Central and the State Government".

[Vide West Bengal Act 18 of 1977, sec. 3 (w.e.f. 4-8-1977).]

PART X—SUITS FOR WHICH THERE IS NO PRESCRIBED PERIOD

113. Any suit for which no period of limitation is provided elsewhere in this Schedule. Three years When the right to sue accrues.

SECOND DIVISION—APPEALS

Description of appeal	Period of limitation	Time from which period begins to run
114. Appeal from an order of acquittal—		
(a) under sub-section (1) or sub-section (2) of section 417 of the Code of Criminal Procedure, 1908 (5 of 1908)	Ninety days	The date of the order appealed from.
(b) under sub-section (3) of section 417 of the Code.	Thirty days	The date of the grant of special leave.
115. Under the Code of Criminal Procedure, 1898 (5 of 1898)		
(a) from a sentence of death passed by a court of session or by a High Court in the exercise of its original criminal jurisdiction.	Thirty days	The date of the sentence.
(b) from any other sentence or any order not being an order of acquittal—		
(i) to the High Court.	Sixty days	The date of the sentence or order.
(ii) to any other court.	Thirty days	The date of the sentence or order.
116. Under the Code of Civil Procedure, 1908 (5 of 1908),—		
(a) to a High Court from any decree or order.	Ninety days	The date of the decree or order.
(b) to any other court from any decree or order.	Thirty days	The date of the decree or order.

Limitation for filing an appeal commences from the date of judgement.

Description of appeal	Period of limitation	Time from which period begins to run
117. From a decree or order of any High Court to the same Court.	Thirty days	The date of the decree or order.

THIRD DIVISION—APPLICATIONS

Description of application	Period of limitation	Time from which period begins to run
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PART I—APPLICATIONS IN SPECIFIED CASES

118. For leave to appear and defend a suit under summary procedure. Ten days When the summons is served.
 minimum period of limitation under the Act
119. Under the Arbitration Act, 1940 (10 of 1940),—
- (a) for the filing in court of an award. Thirty days The date of service of the notice of the making of the award.
- (b) for setting aside an award or getting an award remitted or reconsideration. Thirty days The date of service of the notice of the filing of the award.
120. Under the Code of Civil Procedure, 1908 (5 of 1908) to have the legal representative of a deceased plaintiff or appellant, or of a deceased defendant or respondent, made a party. Ninety days The date of death of the plaintiff, appellant, defendant or respondent as the case may be.
121. Under the same Code for an order to set aside an abatement. Sixty days The date of abatement.
122. To restore a suit or appeal or application for review or revision dismissed for default of appearance or for want of prosecution or for failure to pay costs of service of process or to furnish security for costs. Thirty days The date of dismissal.
123. To set aside a decree passed *ex parte* or to re-hear an appeal decreed or heard *ex parte*. Thirty days The date of the decree or where the summons or notice was not duly served, when the applicant had knowledge of the decree.

The period of limitation for preferring an appeal from a decree passed by court subordinate to HC from date of decree → 90 days.

Description of application	Period of limitation	Time from which period begins to run
<i>Explanation.</i> —For the purpose of this article, substituted service under Rule 20 of Order V of the Code of Civil Procedure, 1908 (5 of 1908) shall not be deemed to be due service.		
124. For a review of judgment by a court other than the Supreme Court.	Thirty days	The date of the decree or order.
125. To record an adjustment or satisfaction of a decree.	Thirty days	When the payment or adjustment is made.
126. For the payment of the amount of a decree by instalments.	Thirty days	The date of the decree.
127. To set aside a sale in execution of a decree, including any such application by a judgment-debtor.	[Sixty days]	The date of the sale.
128. For possession by one dispossessed of immovable property and disputing the right of the decree-holder or purchaser at a sale in execution of a decree.	Thirty days	The date of the dispossession.
129. For possession after removing resistance or obstruction to delivery of possession of immovable property decreed or sold in execution of a decree.	Thirty days	The date of resistance or obstruction.
130. For leave to appeal as a pauper—		
(a) to the High Court;	Sixty days	The date of decree appealed from.
(b) to any other court.	Thirty days	The date of decree appealed from.
131. To any court for the exercise of its powers of revision under the Code of Civil Procedure, 1908 (5 of 1908), or the Code of Criminal Procedure, 1898 (5 of 1898).	Ninety days	The date of the decree or order or sentence sought to be revised.

1. Subs. by Act 104 of 1976, sec. 98, for "Thirty days" (w.e.f. 1-2-1977).

Description of application	Period of limitation	Time from which period begins to run
132. To the High Court for a certificate of fitness to appeal to the Supreme Court under clause (1) of article 132, article 133 or sub-clause (c) of clause (1) of article 134 of the Constitution or under any other law for the time being in force.	Sixty days	The date of the decree, order or sentence.
133. To the Supreme Court for special leave to appeal,—		
(a) in a case involving death sentence.	Sixty days	The date of the judgment, final order or sentence.
(b) in a case where leave to appeal was refused by the High Court.	Sixty days	The date of the order of refusal.
(c) in any other case.	Ninety days	The date of the judgment or order.
134. For delivery of possession by a purchaser of immovable property at a sale in execution of a decree.	One year	When the sale becomes absolute.
135. For the enforcement of decree granting a mandatory injunction.	Three years.	The date of the decree or where a date is fixed for performance, such date.
136. For the execution of any decree (other than a decree granting a mandatory injunction) or order of any civil court.	Twelve years	[When] the decree or order becomes enforceable or where the decree or any subsequent order directs any payment of money or the delivery of any property to be made at a certain date or at recurring periods, when default in making the payment or delivery in respect of which execution is sought, takes place:

An application to bring legal representative on record — has to be filed within 90 days of the death.

Provided that an application for the enforcement or execution of a decree granting a perpetual injunction shall not be subject to any period of limitation.

PART II—OTHER APPLICATIONS

- | | | |
|--|-------------|----------------------------------|
| 137. Any other application for which no period of limitation is provided elsewhere in this division. | Three years | When the right to apply accrues. |
|--|-------------|----------------------------------|

1. Subs. by Act 52 of 1964, sec. 3 and Second Sch., for "Where".

COMMENTS

ARTICLE 30

Bond – Subject to condition

The starting point of limitation would be the date of the loss or injury to the goods, though after the goods were consigned by the consignor he would not be in a position to know the precise date on which the loss or injury has occurred and that the burden would be on the railway administration who want to non-suit the plaintiff on the ground of limitation to establish that the loss or injury occurred more than one year before the institution of the suit; *Southern Railway v. Seyadu Beedi Co.*, AIR 1970 Mad 108.

ARTICLE 54

Applicability

The established rule of Limitation is that law of limitation is not applicable to a plea taken in defence unless expressly a provision is made in the statute. The Law of Limitation applies to the suits and application. Thus, the Law of Limitation bars only an action in a court of law but it does not extinguish a defence though such claim may be barred in a court of law. On the said principle, a defendant in a suit can put forward any defence though such defence may not be enforceable in a court of law being barred by limitation; *Ran Singh Malik v. State of Haryana*, AIR 2003 SC 960.

In the case of contract for sale of immovable property, the presumption is that time is not the essence of the contract; *Sardar Gurdeep Singh v. Amiya Kumar Datta*, (1994) 2 CCC 454 (MP).

Scope

Plea of protective umbrella of 'novation' which is associated with information-galore, is not permissible in the absence of mutuality. It has to be pleaded specifically and on contest, has to be proved cogently; *Basantilal v. Rameshwar Prasad*, (1994) 2 CCC 429 (MP).

Specific performance and possession

It is settled in law where a party to a contract commits an anticipatory breach of the contract, the other party to the contract may treat the breach as putting an end to the contract and sue for damages, but in that event he cannot ask for specific performance; *Basantilal v. Rameshwar Prasad*, (1994) 2 CCC 429 (MP).

ARTICLE 58

Multiple causes of action

Successive violation of the right will not give rise to fresh cause and the suit will be liable to be dismissed if it is beyond the period of limitation counted from the day when the right to sue first accrued; *Khatri Hotels Private Limited v. Union of India*, AIR 2011 SC 3590: (2011) 9 SCC 426: JT 2011 (10) SC 541 (2011) 10 SCALE 190.

Right to sue first accrues

There must be accrual of the right to sue for the plaintiff and infringement or at least a clear and unequivocal threat to infringe that right by the defendant should happen. So far as the right of the plaintiff is not infringed or there is no positive and overt act on the part of the defendant to infringe the right of the plaintiff, there would not be accrual of the right to sue; *Ramesh Maniben v. Vadilal Narayandas Jadawala*, (1994) 1 CCC 205 (Guj DB).

ARTICLE 63

Adverse possession

Relinquishment of possession by the tenant shall not enure to the benefit of pleader against the true owner so as to affect their claim for adverse possession. Appellants are required to prove that their possession was adverse to the true owner; *Chatti Konati Koa v. Palle Venkata Subba Rao*, AIR 2011 SC 1480: (2010) 5 SCC 57: (2010) 13 SCALE 173.

ARTICLE 64

Possession of immovable property

Possession of a property belonging to several co-sharers by one co-sharer shall be deemed that he possess the property on behalf of the other co-sharers unless there has been a clear ouster by denying the title of other co-sharers and mutation in the revenue record in the name of one co-sharer would not amount to ouster unless there is clear declaration that title of other co-sharers was denied; *Darshan Singh v. Gujjar Singh*, AIR 2002 SC 606.

ARTICLE 65

Adverse possession

To claim adverse possession, the possession of the claimant must be actual, open and visible, hostile to the owner (and therefore necessarily with the knowledge of the owner) and continued during the entire period necessary to create a bar under the law of limitation. In short, it should be adequate in continuity, publicity and the extent. Mere vague or doubtful assertions that the claimant has been in adverse possession will not be sufficient, unexplained stray or sporadic entries for a year or for a few years will not be sufficient and should be ignored; *R. Hanumaiah v. Secretary to Government of Karnataka, Revenue Department*, (2010) 5 SCC 203: JT 2010 (4) SC 411: (2010) 4 SCALE 322.

The predecessor-in-interest of plaintiffs coming into possession of the land by virtue of an unstamped and unregistered sale deed executed by predecessor-in-interest of defendants in 1931. The plaintiff in continuous possession till 1956 when defendants by issuing a notice calling upon plaintiffs as trespassers to hand over possession of the land to them. It was held that the unstamped and unregistered sale deed can at least be looked into for the collateral purpose of nature of possession of the plaintiff over the land. Accordingly, the sale deed shows that possession of plaintiff was not illegal and unauthorised. Plaintiff being in continuous and uninterrupted possession since 1931 and they having set up hostile title thereto against defendants who started asserting their title only from 1956, plea of adverse possession of plaintiffs was established; *Bondar Singh v. Nihal Singh*, (2003) 4 SCC 161.

The title in the property cannot pass to the auction-purchaser unless the purchase price has been released in full; *Bhargava & Co. (Dr.) v. Shyam Sunder Seth (by L. Rs.)*, (1994) 2 CCC 481 (SC).

The passing of title presupposes the payment of price in full and the question is at what stage this takes place; *Bhargava & Co. (Dr.) v. Shyam Sunder Seth (by L. Rs.)*, (1994) 2 CCC 481 (SC).

Applicability

Article 65 is applicable only to the suits for possession of immovable property or any interest based on title and not to a cause where legality of acquisition proceedings is challenged; *State of Punjab v. Amarjit Singh*, (2011) 6 SCALE 462.

Burden of proof

When the plaintiff's title is established, it would be the burden of the defendant to prove that he acquired title by adverse possession; *Md. Abdul Hussain v. Md. Akkesh Ali*, (1991) 2 CCC 735 (Gau).

Possession follows title

The suit lands held by the erstwhile watandar or inamdar were impartible under the then existing law. The contest *inter se* for the status of watandar between members of the family ended by the order of the Regency Court and the only result was that the predecessors-in-title of the defendants were allowed to possess the land as watandar being the eldest member of the family of the original watandar on the rule of primogeniture, it was held that the possession of the eldest member of the family pursuant to the Court's order in 1945 as watandar was not adverse to regrant of those lands to the watandar. Inam and watan lands regranted to the watandar ensured to the benefit of the whole family of the watandar and thereafter they became partible. Hence, the partition suit filed by the other members of the family cannot therefore be said to be barred by limitation on ground that the eldest member of the family (predecessor-in-title of the defendants) had prescribed his adverse possession; *Chandramohan Ramchandra Patel v. Babu Koyappa Patel*, (2003) 3 SCC 552.

Scope

Plea of adverse possession cannot be raised by person and admits himself to be tenant; *Abdul Rahman v. Prasany Bai*, AIR 2003 SC 718.

ARTICLE 87**Scope**

A suit for compensation for trespass upon immovable property is governed by Article 87 and by Article 72; *Girdhari Lal v. Chaudandas*, (1991) 3 CCC 493 (MP).

ARTICLE 113**Scope**

If the payment, even though it be of tax, has been made by the party labouring under a mistake of law the party is entitled to recover the same within the period of limitation of 3 years from the date when the mistake was known; *Assam Industrial Corporation v. Union of India*, (1991) 1 CCC 116 (Gau, WB).

ARTICLE 119**Period of limitation for setting aside an award**

An application for setting aside an award has to be filed within 90 days from "the date of service of the notice of the filing of the award". The starting point of limitation is the date of service of notice of the filing of the award and not the date of knowledge of the award; *Union of India v. Deepak Electric & Trading Company*, (2011) 12 SCALE 139; 2011 (4) Arb L 10.

ARTICLE 122**Starting point of limitation**

Limitation under Article 122 runs from the date of dismissal of appeal and not from the date of knowledge of dismissal; *Ashok Kumar v. Manjit Kaur*, (1991) 1 CCC 24 (J&K).

ARTICLE 123**Starting point of limitation**

The limitation is 90 days from the date of the *ex parte* decree; *Naresh Industrial Corporation v. Ganesh Oil & General Mills*, (1994) 1 CCC 875 (Raj).

When it is not the case of the defendant that summons was not duly served, the period of limitation for moving an application for setting aside an *ex parte* decree does not start from the date of the knowledge of the *ex parte* decree; *Naresh Industrial Corporation v. Ganesh Oil and General Mills*, (1994) 1 CCC 875 (Raj).

ARTICLE 127**Applicability**

It is settled law that an application to set aside sale under Order XXI, Rule 89 of the Code of Civil Procedure, 1908 is governed by Article 127. The executing court has no jurisdiction whatsoever to entertain such application after the period of limitation prescribed by Article 127; *Mohan Lal v. Hari Prasad Yadav*, (1994) 2 CCC 501 (SC).

ARTICLE 134**Applicability**

Article 134 will apply only if the sale is in execution of "a decree". The starting point of limitation is one year from the date when the "sale becomes absolute"; *Mylsamy v. Dharapuram Cooperative Primary Land Development Bank*, (1994) 2 CCC 662 (Mad).

In a suit for damages, the period of limitation runs from the date of the damage and not of the act which caused the damage; *Federal Bank Ltd. v. Rana-Kristina Pillai*, (1991) 3 CCC 455 (Ker).

ARTICLE 137**Bar of Limitation**

When there is a valid mortgage as collateral security, limitation period is twelve years and not three years; *Mrs. Punam Wangkhem Singh Bhatia v. Manipur Industrial Development Corporation, Imphal*, AIR 2013 Gau 40.

Scope and applicability

Article 137 is a residuary provision in respect of the applications. It prescribes the period of three years for an application for which no period of limitation is provided elsewhere in the Limitation Act. The period of three years commences when the right to apply accrues; *Minerals and Metals Trading Corporation of India Ltd. v. Ocean King Maritime Co. Ltd.*, (2012) 5 SCC 420; 2012 (3) JT 605; 2012 (4) SCALE 206.

Article 137 has replaced Article 181 of the Limitation Act, 1908. The intention of the legislative was to provide residuary article prescribing period of limitation for filing petitions and applications under the various special laws and not only under the Code of Civil Procedure; *Asia Resorts Ltd. v. Usha Breco Ltd.*, AIR 2002 SC 55.

The period of limitation under Article 137 is 3 years which commences from the date when the right to apply accrues; *Balwant Singh v. Gurbachan Singh*, (1994) 1 CCC 16 (SC).

The question when such right to apply accrues will depend on the facts and circumstances of each case; *Balwant Singh v. Gurbachan Singh*, (1994) 1 CCC 16 (SC).

An application for probate, letters of administration or succession certificate even if filed beyond three years from the date of the death of the testator cannot be rejected at the threshold as time-barred by invoking Article 137; *Francis v. Antony*, (1991) 1 CCC 530 (Ker).

MODEL SPECIMENS*

Affidavit to Condone Delay in Setting Aside *ex parte* Order (under section 5 of the Limitation Act)

Before the Hon'ble Court of.....

O.S. No. of 20.....

Petitioner

vs.

Respondent

AFFIDAVIT

I,, aged about years, S/o, now residing at, do hereby solemnly affirm and state as follows:—

1. I am the defendant in the above suit and the petitioner herein. I know the facts of the case.

2. When the summon was served on me I was not mentally capable of understanding the contents of it and the accompanying plaint. At that time I was under a Psychiatric Treatment of..... I was also absent from my job in Thereafter after long treatment, I regained my consciousness on and contacted my lawyer. I was told that the suit was decreed *ex parte* on by the time the period prescribed for the filing of the petition to set aside the *ex parte* order had lapsed.

3. It is respectfully submitted that the delay was caused due to the reasons stated above. Dr. has issued me a Medical Certificate about my illness and hospitalization on the same is produced herewith and is marked as Ext. P1.

4. In the circumstances it is just and necessary that this Hon'ble Court may be pleased to condone the delay ofdays in preferring the application to set aside the *ex parte* order, as prayed for in the accompanying application.

The facts stated above are true and correct to the best of my knowledge, information and belief.

Dated this the day of20.....

Deponent

Solemnly affirmed and signed before me by the deponent who is personally known to me at on this the day of 20

Advocate

* These specimens are for guidance. Contents may vary according to the terms, conditions, contents and prevailing circumstances.

Affidavit Accompanying the Application to Condone the Delay in Filing an Application to Set Aside an *ex parte* Order

(under section 5 of the Limitation Act)

Before the Hon'ble Civil Court.....

I.A. No. of 20

IN

O.S. No. of 20.....

PetitionerDefendant

vs.

RespondentPlaintiff

AFFIDAVIT

1. I,, S/o..... aged about years, now residing at, do hereby solemnly affirm and state as follows:—

2. I am the defendant in the above suit and the petitioner herein. I know the facts of the case and am competent to swear to this affidavit.

3. When the summons was served on me I was not mentally capable of understanding the contents of it and the accompanying plaint. At that time I was under a Psychiatrist treatment of Dr. I was also absent from my job in the thereafter due to the long treatment, I regained my mental faculties in full on and contacted my brother to whom I had passed on the summons and the plaint copy.

4. I had handed over the papers to my eldest brother on the date on which I was served with the summons. He, being inebriated, did not know or understand the significance of the matter and hence slept over it. After recovery from my illness, I thereupon contacted a lawyer and made enquiries in this court through him and came to know that as there were no representations on when the case was called, this Hon'ble Court declared me *ex parte* and posted the case for return of notice of the other defendant to There is therefore no delay. All the same, the petitioner is filing the accompanying application for condoning delay, if any.

5. It is not owing to any default or laches on the part of the petitioner and the delay was caused due to the reasons stated above. Dr., has issued me a Medical Certificate on The same is produced herewith and is marked as Ext. P1.

6. It is, therefore, just and necessary that the delay if any in filing the application from setting aside the *ex parte* order be condoned by this Hon'ble Court.

7. I solemnly verify and declare that all that is stated above is true to the best of my knowledge, information and belief.

Dated this the day of20.....

Deponent

Solemnly affirmed and signed before me by the deponent in my office at to me at on this the day of20.....

Advocate

List of Latest Universal's Bare Acts & Rules

• Latest • Accurate • Up-to-date • Reasonably Priced

CIVIL, CRIMINAL, COMMERCIAL, LABOUR & SERVICES			
A			
A-17	Actuaries Act, 2006 alongwith Allied Rules	65.00	
A-1	Administration of Evacuee Property Act, 1950 with Rules, 1950	70.00	
A-2	Administrative Tribunals Act, 1985 along with CAT (Procedure) Rules, 1987, CAT Rules of Practice, 1993 and Contempt of Courts (C.A.T.) Rules, 1992	110.00	
A-3	Advocates Act, 1961	50.00	
A-4	Advocates' Welfare Fund Act, 2001	35.00	
A-5	Aircraft Act, 1934 along with allied Rules	225.00	
A-6	Air Force Act, 1950 along with allied Act		
A-7			
A-15			
A-8			
A-9			
A-10			
A-11			
A-19			
A-12			
A-18			
A-13			
A-14			
A-16			
B-1			
B-2			
B-3			
B-4			
B-5			
B-6			
B-7	Biological Diversity Act, 2004 along with Rules, 2004	80.00	
B-8	Boilers Act, 1923 along with allied Rules	65.00	
B-9	Bonded Labour System (Abolition) Act, 1976 along with Rules, 1976	30.00	
B-10	Border Security Force Act, 1968 along with allied Rules	140.00	
B-11	Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 along with Rules, 1998 with Cess Act and Rules	150.00	
B-12	Bureau of Indian Standards Act, 1986 along with Rules and Regulations	100.00	
C			
C-1	Cable Television Networks (Regulation) Act, 1995 along with allied Rules & Regulations	60.00	
C-2	Cantonments Act, 2006	120.00	
C-4	Carriage by Air Act, 1972 see Carrier Laws (Land • Sea • Air)	95.00	
C-44	Carriage by Road Act, 2007	40.00	
C-4	Carriage of Goods by Sea Act, 1925 see Carrier Laws (Land • Sea • Air)	95.00	
C-4	Carriers Act, 1885 see Carrier Laws (Land • Sea • Air)	95.00	
C-4	Carrier Laws (Land • Sea • Air)	95.00	
C-5	Cattle Trespass Act, 1871	30.00	
C-43	Central Educational Institutions (Reservation in Admission) Act, 2006	30.00	
C-48	Central Electricity Authority Regulations	320.00	
C-49	Central Electricity Regulatory Commission Rules and Regulations	275.00	
C-50	Civil Liability for Nuclear Damage Act, 2010 with Rules, 2011	50.00	
C-47	Clinical Establishments (Registration and Regulation) Act, 2010 with Rules, 2012	40.00	
C-21	Code of Civil Procedure, 1908	195.00	
C-23	Code of Civil Procedure, 1908 with State Amendments (Hb)	320.00	
C-45	Code of Civil Procedure, 1908 with State & High Court Amendments with Letters Patent (Hb)	550.00	
C-24	Code of Criminal Procedure, 1973	210.00	
C-26	COFEPOSA Act, 1974 and SAFEMFOP Act, 1976 with Rules, 2006	40.00	
C-51	Coinage Act, 2011	30.00	

In computing the period of limitation for an appeal the time required for entry of the copy of decision or judgement is excluded.

By an application has been made.

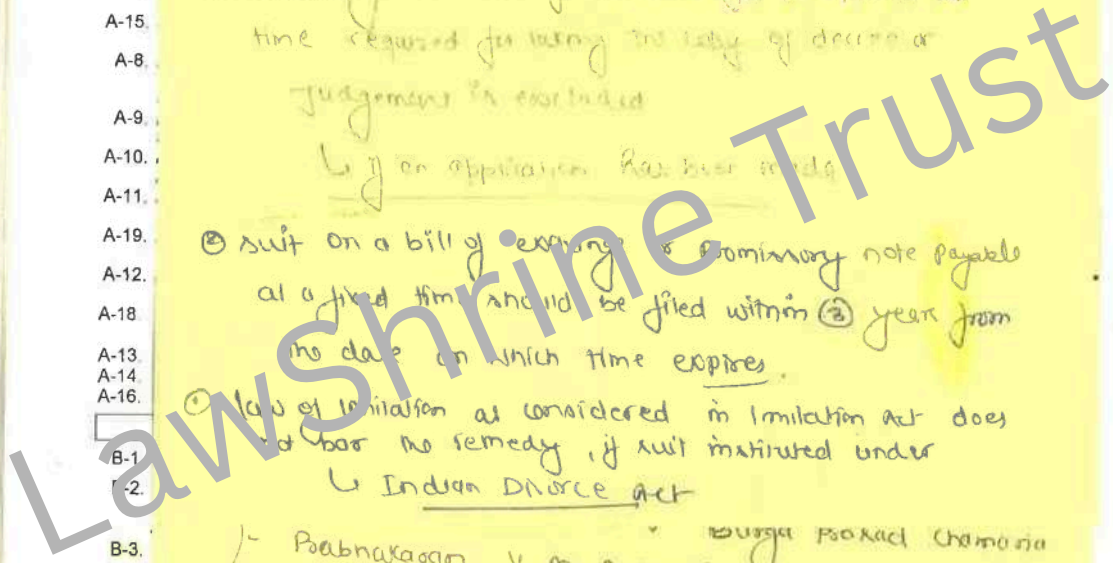
⊙ suit on a bill of exchange & promissory note payable at a fixed time should be filed within 2 years from the date on which time expires.

⊙ Law of limitation as considered in limitation act does not bar no remedy if suit instituted under Indian Divorce Act.

- Pabnakoon v. M. Ashaji Pillai

- J.C. Budhiga v. Chatterjee - Orissa Mining Corporation Ltd.

⊙ In all of the above scope and object of acknowledgment within the meaning of sec 13 of limitation act was satisfied.



C-46	Collection of Statistics Act, 2008 with Rules, 2011	40.00	E-5	Electricity Rules, 2005 along with allied Rules and Orders	210.00
C-41	Commission for Protection of Child Rights Act, 2005 along with Rules	40.00	E-6	Emblems and Names (Prevention of Improper use) Act, 1950 along with allied Act and Rules	35.00
C-27	Commissions of Inquiry Act, 1952 along with Rules, 1972	30.00	E-7	Emigration Act, 1983 along with Rules, 1983	50.00
C-28	Commission of Sati (Prevention) Act, 1987 along with Rules	30.00	E-19	Employee's Compensation Act, 1923 along with allied Rules	85.00
C-29	Companies Act, 2013	350.00	E-8	Employees' Provident Funds and Miscellaneous Provisions Act, 1952, along with E.P.F. Scheme, 1952 with allied Schemes, Rules and Forms	240.00
C-53	Company Secretaries Act, 1980	50.00	E-9	Employees' Provident Funds and Miscellaneous Provisions Act, 1952	55.00
C-30	Competition Act, 2002 with allied Rules	175.00	E-10	Employees' State Insurance Act, 1948 along with Rules and Regulations	150.00
C-31	Constitution of India	150.00	E-11	Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959 along with Rules, 1960	30.00
C-33	Consumer Protection Act, 1986 along with Rules, 1987 and Regulations, 2005	65.00	E-12	Employers' Liability Act, 1938	30.00
C-34	Contempt of Courts Act, 1971 along with Rules to Regulate Proceedings for Contempt of the Supreme Court, 1975	40.00	E-20	Enemy Property Act, 1968 along with Enemy Property Rules, 2015	45.00
C-35	Contract Act, 1872	60.00	E-13	Energy Conservation Act, 2001 along with allied Rules	160.00
C-36	Contract Labour (Regulation and Abolition) Act, 1970 along with Rules, 1971	60.00	E-14	Environment (Protection) Act, 1986 along with allied Rules	295.00
N-6	Control of National Highways (Land and Traffic) Act, 2002 see National Highways Act, 1956	130.00	E-15	Equal Remuneration Act, 1976 along with allied Rules	30.00
C-37	Copyright Act, 1957 along with Rules, 1958 and International Copyright Order, 1999	125.00	E-16	Essential Commodities Act, 1955 along with allied Acts	50.00
C-54	Cost and Works Accountants Act, 1959	50.00	E-17	Evidence Act, 1872	65.00
C-38	Court Fees Act, 1870	50.00	E-18	Explosives Act, 1884 along with The Explosive Substances Act, 1908	60.00
C-39	Credit Information Companies (Regulation) Act, 2005 along with Rules and Regulations, 2006	60.00			
C-55	Criminal Law (Amendment) Acts and Ordinances	95.00			
C-56	Criminal Law (Amendment) Acts, 2013				

⊙ Limitation Act bars remedy but does not destroy right
 ↳ For suspension of time
 ↳ M. N. D. v. Imp.
 ↳ N. Bala Krishnan v. M. Krishna munn

⊙ P.K. Ramchandran v. State of Kerala
 ↳ Law of limitation may hardly affect a particular party, but it has to be applied with all of its rigors when the statute so prescribes and the courts have no power to extend the period of limitation on equitable grounds.

D-7	Drugs & Cosmetics Act, 1940	65.00	F-11	Foreigners Act, 1946 along with Foreigners Orders, 1948 with Registration of Foreigners Act, 1939 and Rules, 1992	50.00
D-8	Drugs & Cosmetics Act, 1940 along with Rules, 1945	450.00	F-12	Forest Act, 1927 along with The Forest (Conservation) Act, 1980 and Rules, 2003	125.00
D-9	Drugs & Magic Remedies (Objectionable Advertisements) Act, 1954 along with Rules, 1955	30.00	F-13	Forward Contracts (Regulation) Act, 1952 as amended by the Finance Act, 2015	50.00
D-13	Drugs (Prices Control) Order, 2013	65.00	F-14	Freedom of Information Act, 2002	30.00
E			G		
E-1	Easements Act, 1882	35.00	G-1	Gas Cylinders Rules, 2004 along with Rules, 1981 and allied Orders	130.00
E-2	Electricity Act, 2003 along with Rules, 2005 and allied Rules and Orders	150.00	G-2	General Clauses Act, 1897	30.00
E-3	Electricity (Supply) Act, 1948	60.00			

I-12. General Insurance Business (Nationalisation) Act, 1972 <i>see</i> Insurance Act, 1938	295.00
G-5. Geographical Indications of Goods (Registration and Protection) Act, 1999 along with Rules, 2002	100.00
G-7. Government Securities Act, 2006 along with Regulations	55.00
G-8. Gram Nyayalayas Act, 2008	40.00
G-6. Guardians and Wards Act, 1890	30.00

H

H-1. Hindu Laws (Containing 5 Acts)	60.00
H-2. Hindu Adoption & Maintenance Act, 1956	30.00
H-1. Hindu Disposition of Property Act, 1916 <i>see</i> Hindu Laws (containing 5 Acts)	60.00
H-3. Hindu Marriage Act, 1955	30.00
H-4. Hindu Minority & Guardianship Act, 1956	30.00
H-5. Hindu Succession Act, 1956	35.00
H-6. Hire-Purchase Act, 1972 along with Hire-Purchase (Repeal) Act, 2005	30.00

I

I-1. Identification of Prisoners Act, 1920	30.00
I-2. Immoral Traffic (Prevention) Act, 1956	35.00
I-18. Income Tax Act, 1961 as amended by Finance (No. 2) Act, 2014 (Pb)	795.00
I-3. Indecent Representation of Women (Prohibition) Act, 1986 along with Rules, 1987	30.00
I-4. Indian Penal Code, 1860 with Classifications of offences and Sta	140.00
I-6. Industri Act, 19	
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I-8. Industri Regula	
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I-11. Insec Rule:	
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I-13. Insu Au Rule	
I-14. Insr Au	
I-15. Int Err Ac	
I-16. Inl	
I-17. In Scale and Act, 1993	

J

J-1. Juvenile Justice (Care and Protection of Children) Act, 2000 along with Rules, 2007	120.00
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K

M-18. Kazis Act, 1880 <i>see</i> Muslim laws (containing 9 Acts & Rules)	55.00
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L

L-1. Land Acquisition Act, 1894	90.00
L-9. Land Ports Authority of India Act, 2010	55.00
L-7. Legal Metrology Act, 2009 along with Allied Rules	450.00
L-2. Legal Services Authorities Act, 1987 along with allied Rules and Regulations	80.00


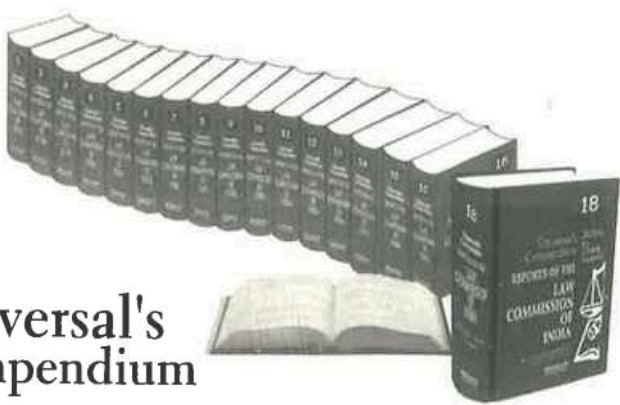
L-3. Life Insurance Corporation Act, 1956 along with Rules, 1956	45.00
L-4. Limitation Act, 1963	40.00
L-6. Limited Liability Partnership Act, 2008 along with Notification and Allied Rules	340.00
L-8. Limited Liability Partnership Act, 2008	55.00
L-10. Lokpal and Lokayuktas Act, 2013	55.00
L-5. Lotteries (Regulation) Act, 1998	30.00

M

A-8. Madras Ancient and Historical Monuments and Archaeological Sites and Remains Act, 1966 <i>see</i> Ancient Monuments and Archaeological Sites and Remains Act, 1958	110.00
M-26. Mahatma Gandhi National Rural Employment Guarantee Act, 2005	55.00
M-22. Major Port Trusts Act, 1963	65.00
M-1. Majority Act, 1875 along with Guardian and Wards Act, 1890	35.00
M-24. Maintenance and Welfare of Parents and Senior Citizens Act, 2007	30.00
M-2. Maternity Benefit Act, 1961 along with Rules, 1963	35.00
M-3. Medical Council Act, 1956 along with Allied Act, Rules and Regulations	350.00
M-4. Medical Termination of Pregnancy Act, 1971 along with Rules and Regulations	30.00
M-5. Medicine Central Council Act, 1970	60.00
M-6. Medicinal and Toilet Preparations (Excise Duties) Act, 1955	30.00
M-7. Mental Health Act, 1987 along with Central Mental Health Authority Rules, 1990 and State Mental Health Rules, 1990	55.00
Merchant Shipping Act, 1958 along with	375.00

The period of limitation cannot be extended u/s 5
 m
 An appeal filed u/s 33(3), u/s 33(3)
 of up abandonment and Abolition and
 (art) u/s 333
 Application u/s 198(4)
 Acknowledgement after expiration of 30 days
 After the institution of suit - not effect
 substituted. The suit is deemed to have instituted
 all regards him - when he was made a party

1st to 234th Report
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Compendium

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Foreword by
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Former Judge, Supreme Court of India

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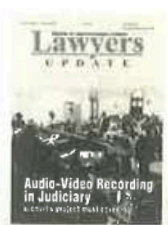
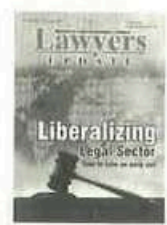
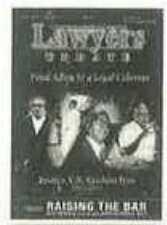
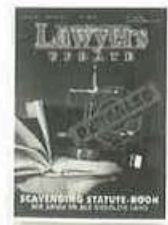
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