

**NATIONAL CONSUMER DISPUTES REDRESAL COMMISSION
GOVERNMENT OF INDIA**

Telephone No.24608711
Fax No.24658505

Upphokta Nyay Bhawan
'F' Block, GPO Complex, INA,
New Delhi – 110023.

No.A-2/Listing/NCDRC/2021

14th January, 2022

OFFICE ORDER NO.07 OF 2022

1. The Hon'ble Supreme Court of India, vide Order dated 10th January, 2022, passed in MA No.21 of 2022 in MA No.665 of 2021 in Suo Motu Writ Petition (Civil) No.3 of 2020, In Re: Cognizance for Extension of Limitation (copy enclosed) has issued the following directions:

I. The order dated 23.03.2020 is restored and in continuation of the subsequent orders dated 08.03.2021, 27.04.2021 and 23.09.2021, it is directed that the period from 15.03.2020 till 28.02.2022 shall stand excluded for the purposes of limitation as may be prescribed under any general or special laws in respect of all judicial or quasi-judicial proceedings.

II. Consequently, the balance period of limitation remaining as on 03.10.2021, if any, shall become available with effect from 01.03.2022.

III. In cases where the limitation would have expired during the period between 15.03.2020 till 28.02.2022, notwithstanding the actual balance period of limitation remaining, all persons shall have a limitation period of 90 days from 01.03.2022. In the event the actual balance period of limitation remaining, with effect from 01.03.2022 is greater than 90 days, that longer period shall apply.

IV. It is further clarified that the period from 15.03.2020 till 28.02.2022 shall also stand excluded in computing the periods prescribed under Sections 23(4) and 29A of the Arbitration and Conciliation Act, 1996, Section 12A of the Commercial Courts Act, 2015 and provisos (b) and (c) of Section 138 of the Negotiable Instruments Act, 1881 and any other laws, which prescribe period(s) of limitation for instituting proceedings, outer limits (within which the court or tribunal can condone delay) and termination of proceedings."

2. In the light of the order passed by the Hon'ble Supreme Court of India, as extracted above, the Hon'ble President, NCDRC, is pleased to issue the following directions to the Registry of the NCDRC, for compliance:

1. **Computation of delay in such matters in which Limitation had already expired on or before 14.03.2020:**

The delay in filing the matters (i.e., Revision Petitions, First Appeals, Consumer Complaints, Written Statements, Applications, etc.), which will be filed on or after

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01.03.2022, in which limitation, as prescribed in the Consumer Protection Act, 1986, or the Consumer Protection Act, 2019 (as may be applicable), had already expired on or before 14.03.2020, shall be computed in the following manner:

- .(i). the number of days of delay, in excess of the period of limitation provided in in the Consumer Protection Act, 1986, or the Consumer Protection Act, 2019 (as may be applicable), shall be computed from the date of receipt of the free certified copy of the order of the State Commission till 14.03.2020 (i.e. before 15.03.2020).
 - .(ii). the period from 15.03.2020 to 28.02.2022 shall be excluded for computing limitation.
 - .(iii). the number of days of delay from 01.03.2022 (including 01.03.2022) till the date of filing of the matter shall be computed.
 - .(iv). the number of days computed at (i) and (iii) above shall be added to arrive at the total number of days of delay in filing a matter.
- II. Computation of delay in such matters in which Limitation expires between 15.03.2020 and 28.02.2022:**

The delay in filing the matters, i.e., Revision Petitions, First Appeals, Consumer Complaints, Written Statements, Applications, etc., where limitation is expiring between 15.03.2020 and 28.02.2022, shall be computed in the following manner:

- .(i). The period from 15.03.2020 to 28.02.2022 shall be excluded for computing limitation.
- .(ii). Limitation shall be further extended by 90 days from 01.03.2022, i.e. till 29.05.2022.

Since 29.05.2022 is Sunday, the matters filed on 30.05.2022 will be considered to have been filed within limitation. However, if matters are filed on 31.05.2022 or thereafter, then delay shall be computed from 30.05.2022 onwards.

- .(iii). The matters in which the limitation (provided in the Consumer Protection Act, 1986 or the Consumer Protection Act, 2019, as may be applicable) is expiring during the period from 15.03.2020 to 28.02.2022 (i.e., before 01.03.2022) and such a matter is filed during the same period (i.e., from 15.03.2020 to

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28.02.2022) with some delay, such matter shall be treated as having been filed within the limitation.

3. The directions given by the Hon'ble Supreme Court shall not apply to the matters filed/instituted against such orders which shall be passed by the State Commissions on or after 01.03.2022. In such an event, the standard procedure for computation of limitation shall apply.


(S. Hanumantha Rao)
Joint Registrar

Copy to:

1. Sr. PPS to the Hon'ble President.
2. PS to Hon'ble Member(s) – with a request to bring the contents of the Office Order to the knowledge of the Hon'ble Member(s).
3. Deputy Registrar, AR (CC), AR (FA), SO (Listing), OSD (RP)
4. Court Masters (Non-shorthand)
5. Dealing Assistants (Filing)
6. Notice Board
7. Office Order Folder
8. SO (IT) – with a request to upload this Office Order on the website of NCDRC.


(S. Hanumantha Rao)
Joint Registrar