



Chapter-7 :

Limitation Act, 1963

Contents

Introduction 2

Bars of Limitations 2

EXCEPTIONS..... 3

Computation of Period of limitations..... 5

Effect of Acknowledgment on Period of
Limitations 6

Effect of Payment on Account of DEBT or of
Interest on legacy 6

Acquisition of Ownership By Possession 7

ADDRESS

Insight House, 1st Floor, Bungalow No 2,
Shreeji Society, Near naranpura Railway
Crossing, Naranpura, Ahmedabad-380013

MOBILE

99745 45456

1

WEBSITE

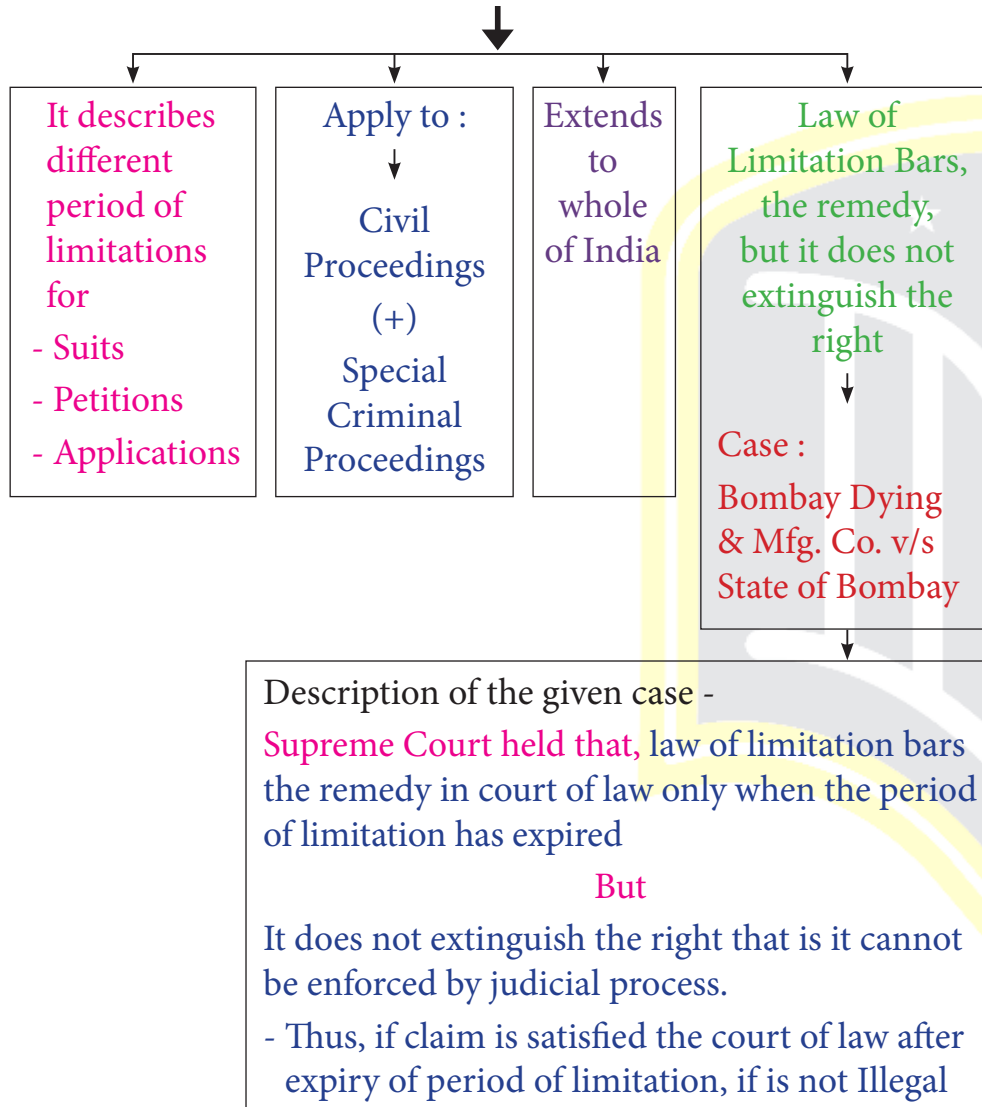
www.insightinstitute.co

2
BRANCHES

NARANPURA
VASTRAL

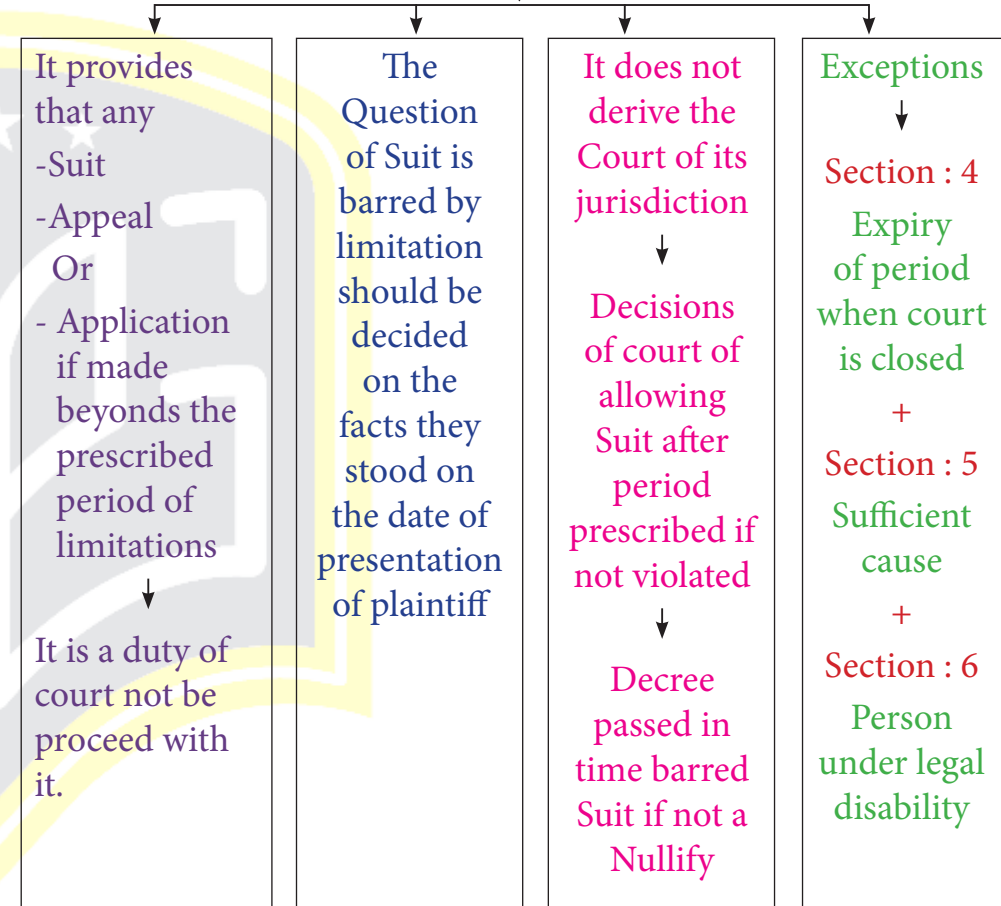


Introduction



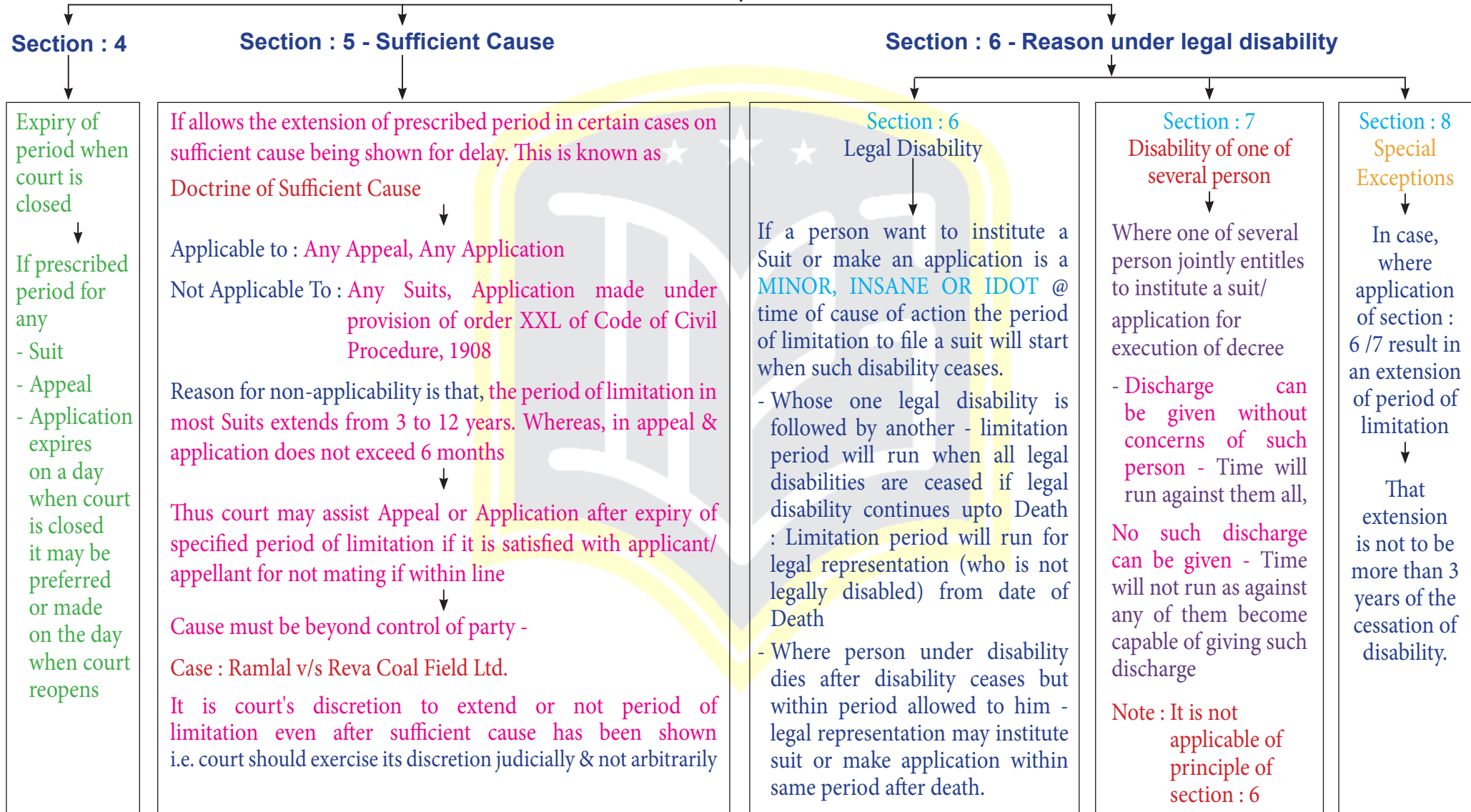
Bars of Limitations

Section : 3





EXCEPTIONS



ADDRESS

Insight House, 1st Floor, Bungalow No 2, Shreeji Society, Near naranpura Railway Crossing, Naranpura, Ahmedabad-380013

MOBILE

99745 45456

3

WEBSITE

www.insightinstitute.co

2
BRANCHES

NARANPURA
VASTRAL



NOTE : Section : 5

What is sufficient cause or not may be explained by allowing observation

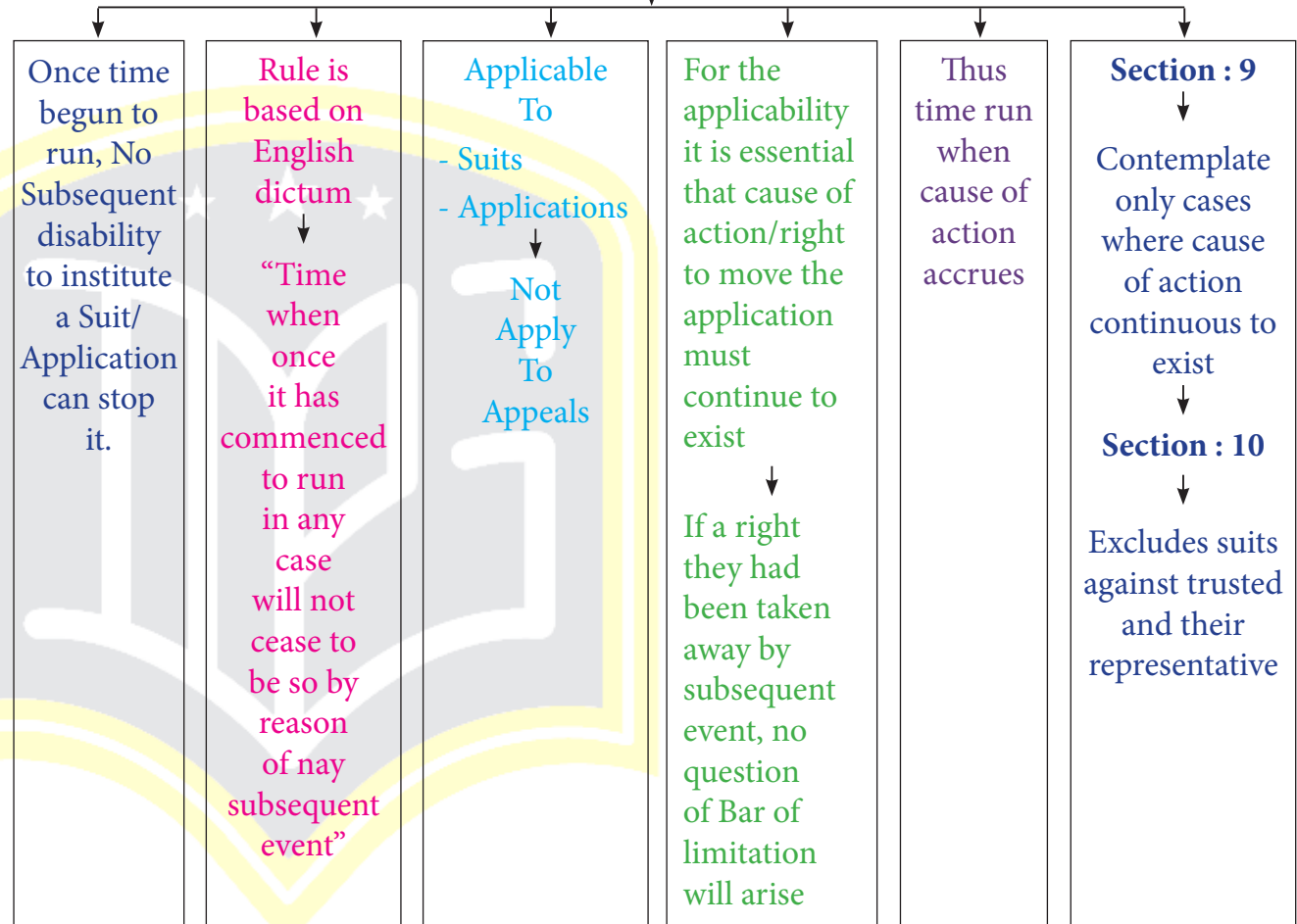
1. Wrong Practice of H C which misled appellant
2. Mistake of Counsel
3. Wrong Advice of by advocate
4. Mistake of Law
5. Imprisonment of party/serious illness
6. Time taken for obtaining certified copy of decree.
7. Non-availability of file of case to State Council/ Panel Lawyer.

Case :
(Collectors & Authorise chief Settlement Commissioner v/s Darshan Singh & other)

8. Ailment of father - ie period which defendant took to look after his father

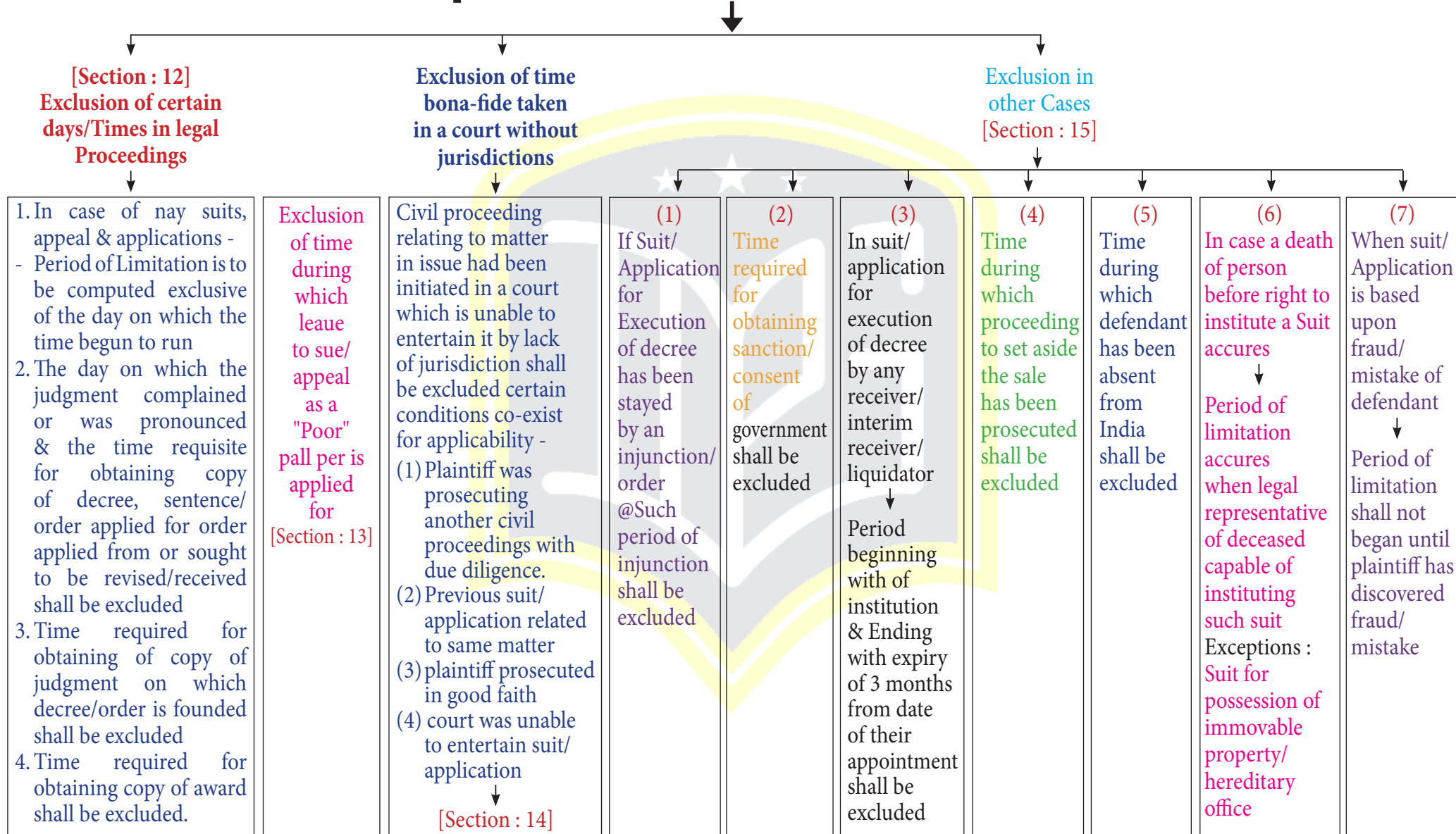
Case :
Mahendra Yadav v/s Ratna Devi & others

Section : 9 - Continuous Running of time





Computation of Period of limitations



ADDRESS

Insight House, 1st Floor, Bungalow No 2, Shreeji Society, Near naranpura Railway Crossing, Naranpura, Ahmedabad-380013

MOBILE

99745 45456

5

WEBSITE

www.insightinstitute.co

2
BRANCHES

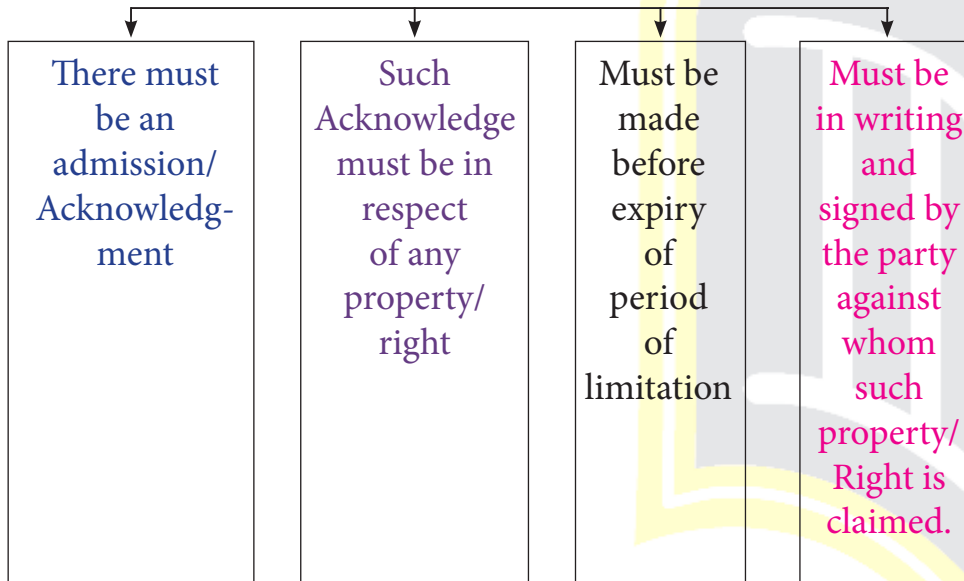
NARANPURA
VASTRAL



Effect of Acknowledgment on Period of Limitations

[Section : 18]

Following Requirements should be present for valid Acknowledgment

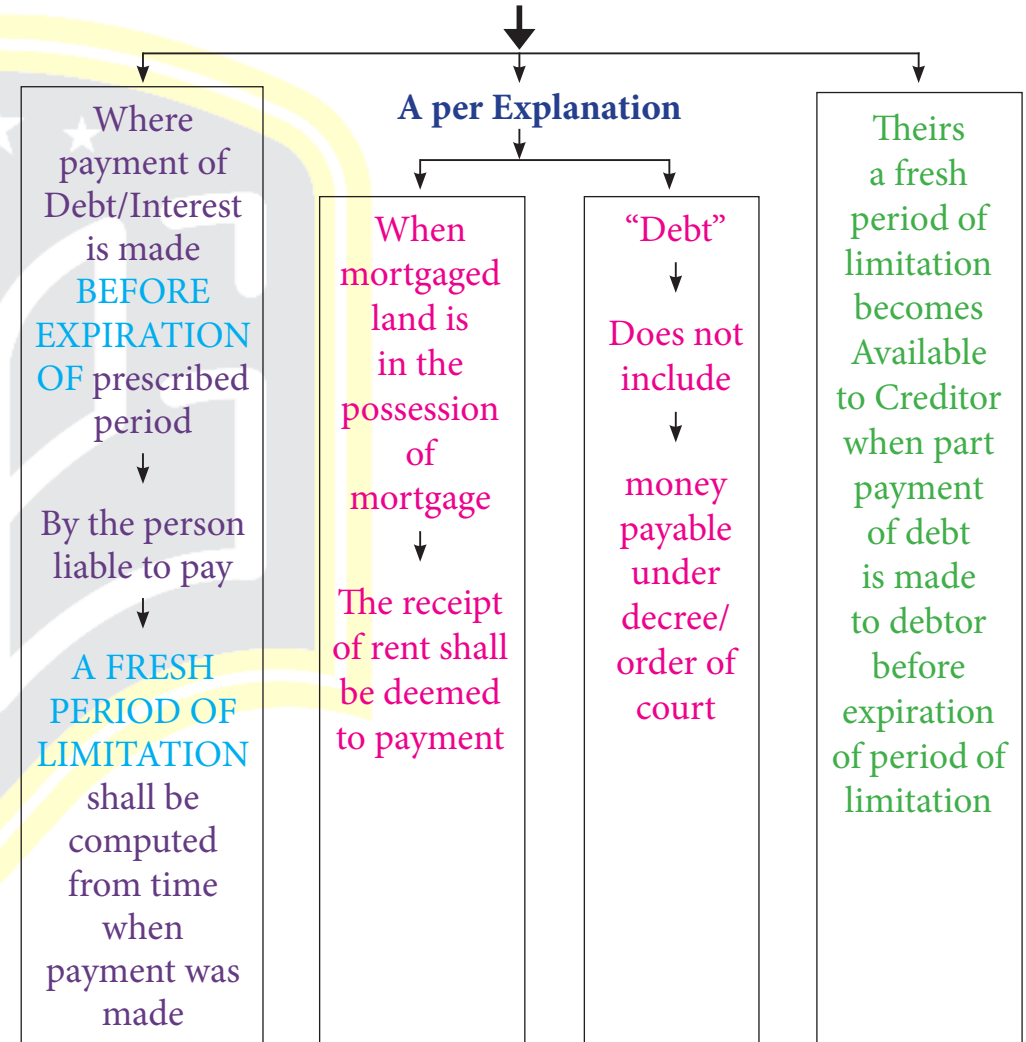


Note : If all above requirements are satisfied

fresh Period of limitation shall be computed from time when Acknowledgment was signed.

Effect of Payment on Account of DEBT or of Interest on legacy

[Section : 19]





Classification of Period of Limitation

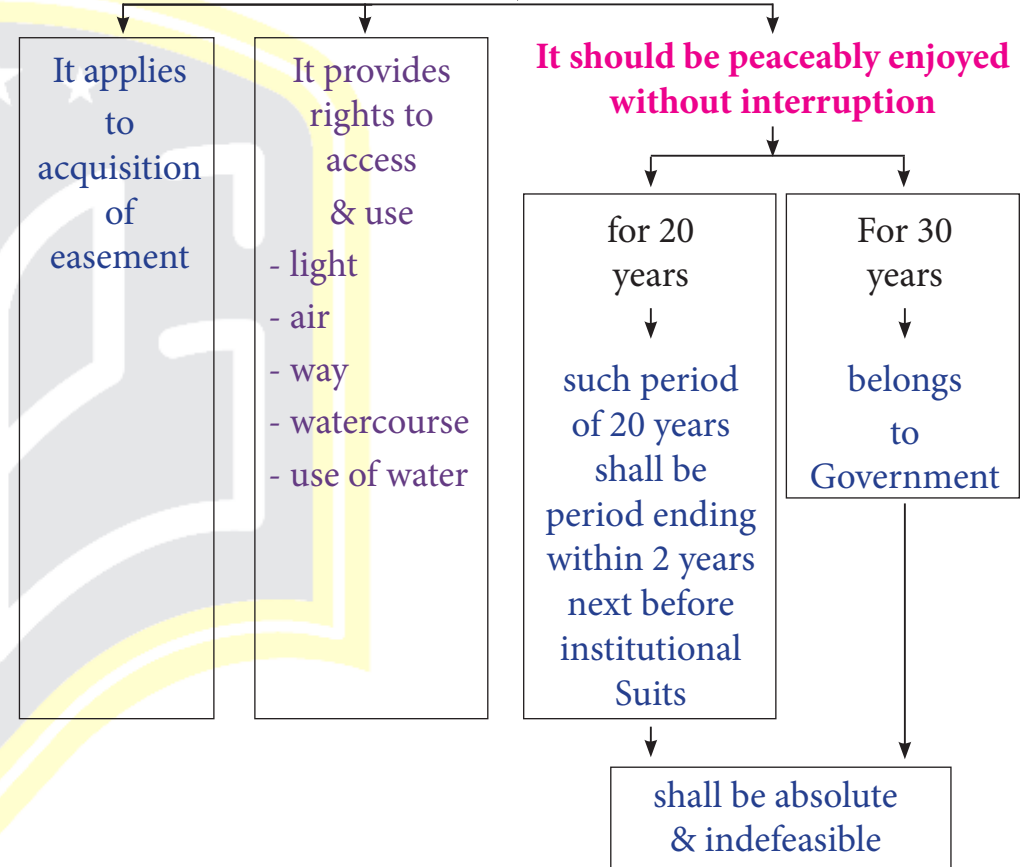
[Section : 18]



Sr. NO.	PERIOD	DETAILS
1.	30 years	(a) Suit by mortgagors fro redemption/ recovery of possession of immovable property mortgaged (b) Suit by mortgage for forclosure (c) Suit by or on behalf of C.G/S.G including state of J & K
2.	12 years	(a) Suits relating to - Immovable Property, Trust, Endowments
3.	3 years	(a) Suits relating to - Accounts, Contracts, Declaratory suits, decree, Investments, Movable Property
4.	1 years to 3 years	Suits relating to - Tort, other Miscellaneous matter, where no period of limitation is provided
5.	90 days to 10 days	10 days Application for leave to appeal & defendant suit under summary procedure from date of service of summon
		30 days For appeals against a sentences of death passed by court of session/H.C. in exercise of its original jurisdiction
	60 days	For appeal against any sentences other than death sentence or any other not being order of acquitted & 30 days for appeal to any other court is prescribed period of leave to appeal as "pauper" from the date of decree is 60 days to H.C. & 30 days to any other court

Acquisition of Ownership By Possession

[Section : 25]



ADDRESS

Insight House, 1st Floor, Bungalow No 2, Shreeji Society, Near naranpura Railway Crossing, Naranpura, Ahmedabad-380013

MOBILE

99745 45456

7

WEBSITE

www.insightinstitute.co

2
BRANCHES

NARANPURA
VASTRAL



Limitation & writs under the Constitution

[Entry 13m list III of COI]

The Schedule

PART-I: Suit — Section : 1-113

PART-I: SUITS

1.	Accounts (1-5)	3 years
2.	Contracts (6-55)	
3.	Declarations (56-58)	
4.	Decree and Investments (59-60)	
5.	Immovable property (61-67)	
	- Redeem/Foreclosure	30 years
	- For Possession	12 years
	- Recover Surplus	3 years
	- Payment	12 years
6.	Movable Property (68-71)	3 years
7.	Tort (72-91)	
8.	Trust and Trust Property (92-96)	
	- Immovable	12 years
	- Movable	3 years
9.	Suits relating to Miscellaneous Matter	
	95 , 105	
	107 , 109	
	111 , 112	
10.	Suits where there is no prescribed period	3 years

PART-II: Appeal — Section : 114-117

PART-II: APPEALS

1.	Civil Procedure Court - Criminal Procedure Court	90 days
2.	Review other than Supreme court	30 days
3.	Abatement set aside order 22	60 days
4.	CPC Appeal :	
	- High Court	90 days
	- Other Court	30 days
	- High Court	
	- Single bench	30 days
	- Double bench	
5.	Criminal :	
	- Death Sentence Session Court - H.C. -	30 days
	- Session Court other than death - H.C. -	60 days
	- Other court appeal session court	30 days
	- Appeal against acquainted	90 days

PART-III: Application — Section : 118-137

PART-III: APPLICATION

1.	leave to appeal & defend summary suit (118)	10 days
2.	legal representative made by party (120)	90 days
3.	leave to appeal as "pauper"	
	- To H.C.	60 days
	- To any other court	30 days
4.	Execution of decree or order (other than decree granting a mandatory injunction) (136)	12 years
5.	Any other application for which no period of limitation is prescribed	3 years

ADDRESS

Insight House, 1st Floor, Bungalow No 2,
Shreeji Society, Near naranpura Railway
Crossing, Naranpura, Ahmedabad-380013

MOBILE

99745 45456

8

WEBSITE

www.insightinstitute.co

2
BRANCHES

NARANPURA
VASTRAL