OFFICE OF THE DISTRICT & SESSIONS JUDGE : : : BONGAIGAON. No.DJB.VIII-1 / 2021 / 4564-75 Dated Bongaigaon the 7th October, 2021.

In enclosing herewith the Copy of Letter vide Memo No. HC.III-15/2018/4979/G, dtd. 01.10.2021 along with Order in connection with Misc. Application No. 665 of 2021 in SMW (C) No. 3 of 2020 passed by Hon'ble Supreme Court of India and (ii) NOTIFICATION No. 80 dtd. 05-10-2021 issued by Hon'ble Gauhati High Court, Guwahati are forwarded for kind information and necessary action to:-

- 01. The Addl. District & Sessions Judge, (F.T.C.), North-Salmara, Abhayapuri.
- 02. The Civil Judge & Asstt. Sessions Judge, Bongaigaon.
- 03. The Chief Judicial Magistrate, Bongaigaon.
- 04. The Addl. Chief Judicial Magistrate, Bongaigaon.
- 05. The Sub-Divisional Judicial Magistrate (M), North Salmara, Abhayapuri.
- 06. The Sub-Divisional Judicial Magistrate (S), Bongaigaon.
- 07. The Munsiff-cum- J M 1st Class, North Salmara, Abhayapuri.
- 08. The Munsiff-cum- J M 1st Class, Bongaigaon.
- 09. The President/ Secretary General, Bongaigaon Lawyers' Association, Bongaigaon
- 10. The President/ Secretary General, North Salmara Sub Divisional Lawyers' Association, Abhayapuri.
- 11. The Bench Assistant, Hon'ble Court of the District & Sessions Judge, Bongaigaon.
- 12. The Systems Officer, Dist. Judiciary, Bongaigaon with a request to upload and forward the same through respective email I D of the Judicial Officers of Bongaigaon District.

13. Office Copy.

By order

(Shri A. K. Saha)

Chief Administrative Officer

District & Sessions Judge's Office

Bongaigaon.

Pg 10201

THE GAUHATI HIGH COURT

(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

No. HC.III-15/2018/4979/G

From:

Sri R. A. Tapadar,

Registrar (Judicial),

Gauhati High Court, Guwahati.

✓To:

The District & Sessions Judge,

Barpeta / Baksa / Bongaigaon / Cachar / Charaideo/ Chirang / Darrang / Dhemaji / Dhubri / Dibrugarh / Dima Hasao / Goalpara / Golaghat / Hailakandi / Hojai / Jorhat / Kamrup (M) / Kamrup / Karbi Anglong / Karimganj / Kokrajhar / Lakhimpur/ Morigaon / Nagaon / Nalbari / Sivasagar / Sonitpur / Tinsukia / Udalguri, Assam.

Dated Guwahati the 1st October, 2021

Sub: Circulation of order dated 23.09.2021, passed by Hon'ble Supreme Court of India in M.A. Application No. 665/2021 in SMWP (C) No. 3 of 2020.

Sir / Madam,

With reference to the subject cited above, I am directed to forward herewith a copy of order dated 23.09.2021, passed by Hon'ble Supreme Court of India in Miscellaneous Application No. 665/2021 in SMWP (C) No. 3 of 2020, for information and circulation amongst all the Subordinate Courts/Tribunals in your district.

With warm regards,

Yours faithfully,

Encl: As stated above.

REGISTRAR (JUDICIAL)

1/10/2021

IN THE SUPREME COURT OF INDIA CIVIL ORIGINAL JURISDICTION

Miscellaneous Application No. 665 of 2021 In SMW(C) No. 3 of 2020

IN RE: COGNIZANCE FOR EXTENSION OF LIMITATION

ORDER

- 1. Due to the outbreak of COVID-19 pandemic in March, 2020, this Court took *Suo Motu* cognizance of the difficulties that might be faced by the litigants in filing petitions/ applications/ suits/ appeals/ all other proceedings within the period of limitation prescribed under the general law of limitation or under any special laws (both Central and/or State). On 23.03.2020, this Court directed extension of the period of limitation in all proceedings before the Courts/Tribunals including this Court w.e.f. 15.03.2020 till further orders.
 - 2. Considering the reduction in prevalence of COVID-19 virus and normalcy being restored, the following order was passed in the *Suo Motu* proceedings on 08.03.2021:
- "1. In computing the period of limitation for any suit, appeal, application or proceeding, the period from 15.03.2020 till 14.03.2021 shall stand excluded. Consequently, the balance period of limitation remaining as on 15.03.2020, if any, shall become available with effect from 15.03.2021.

- 2. In cases where the limitation would have expired during the period between 15.03.2020 till 14.03.2021, notwithstanding the actual balance period of limitation remaining, all persons shall have a limitation period of 90 days from 15.03.2021. In the event the actual balance period of limitation remaining, with effect from 15.03.2021, is greater than 90 days, that longer period shall apply.
- 3. The period from 15.03.2020 till 14.03.2021 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.
- 4. The Government of India shall amend the guidelines for containment zones, to state.
- "Regulated movement will be allowed for medical emergencies, provision of essential goods and services, and other necessary functions, such as, time bound applications, including for legal purposes, and educational and job-related requirements."
- 3. Thereafter, there was a second surge in COVID-19 cases which had a devastating and debilitating effect. The Supreme Court Advocates on Record Association (SCAORA) intervened in the *Suo Motu* proceedings by filing Miscellaneous Application No.665 of 2021 seeking restoration of the order dated 23.03.2020. Acceding to the request made by SCAORA, this Court passed the following order on 27.04.2021:

"We also take judicial notice of the fact that the steep rise in COVID-19 Virus cases is not limited to Delhi alone but it has engulfed the entire nation. The extraordinary situation caused by the sudden and second outburst of COVID-19 Virus, thus, requires extraordinary measures to minimize the hardship of litigant-public in all the states. We, therefore, restore the order dated 20 direct, 2020 and in continuation of the order dated 8th March, 2021 direct that the period(s) of limitation, as prescribed under any general or special laws in respect of all judicial or quasi-judicial proceedings, whether condonable or not, shall stand extended till further orders.

It is further clarified that the period from 14th March, 2021 till further orders 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.

We have passed this order in exercise of our powers under Article 142 read with Article 141 of the Constitution of India. Hence it shall be a binding order within the meaning of Article 141 on all Courts/Tribunals and Authorities."

- 4. In spite of all the uncertainties about another wave of the deadly COVID-19 virus, it is imminent that the order dated 08.03.2021 is restored as the situation is near normal.
- 5. We have heard learned Attorney General for India, Mr. Vikas

Singh, learned Senior Counsel for the Election Commission of India, Mr. Shivaji M. Jadhav, learned counsel for the SCAORA and other learned Advocates. There is consensus that there is no requirement for continuance of the initial order passed by this Court on 23.03.2020 and relaxation of the period of limitation need not be continued any further. The contention of Mr. Vikas Singh is that the order dated 08.03.2021 can be restored, subject to a modification. He submitted that paragraph No.2 of the order dated 08.03.2021 provides that the limitation period of 90 days will start from 15.03.2021 notwithstanding the actual balance of period of limitation in cases where limitation has expired between 15.03.2020 and 14.03.2021. According to him, the period of limitation prior to 15.03.2020 has to be taken into account and only the balance period of limitation should be made available for the purpose of filing cases.

- 6. The order dated 23.03.2020 was passed in view of the extraordinary health crisis. On 08.03.2021, the order dated 23.03.2020 was brought to an end, permitting the relaxation of period of limitation between 15.03.2020 and 14.03.2021. While doing so, it was made clear that the period of limitation would start from 15.03.2021. As the said order dated 08.03.2021 was only a one-time measure, in view of the pandemic, we are not inclined to modify the conditions contained in the order dated 08.03.2021.
- 7. The learned Attorney General for India stated that paragraph

No.4 of the order dated 08.03.2021 should be continued as there are certain containment zones in some States even today.

- 8. Therefore, we dispose of the M.A. No.665 of 2021 with the following directions: -
 - I. In computing the period of limitation for any suit, appeal, application or proceeding, the period from 15.03.2020 till 02.10.2021 shall stand excluded. Consequently, the balance period of limitation remaining as on 15.03.2021, if any, shall become available with effect from 03.10.2021.
- II. In cases where the limitation would have expired during the period between 15.03.2020 till 02.10.2021, notwithstanding the actual balance period of limitation remaining, all persons shall have a limitation period of 90 days from 03.10.2021. In the event the actual balance period of limitation remaining, with effect from 03.10.2021, is greater than 90 days, that longer period shall apply.
- III. The period from 15.03.2020 till 02.10.2021 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.

IV. The Government of India shall amend the guidelines for containment zones, to state.

"Regulated movement will be allowed for medical emergencies, provision of essential goods and services, and other necessary functions, such as, time bound applications, including for legal purposes, and educational and job-related requirements."

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New Delhi, September 23, 2021.

ITEM NO.301 Court 1 (Video Conferencing)

SECTION PIL-W

SUPREME COURT OF INDIA RECORD OF PROCEEDINGS

Miscellaneous Application No.665/2021 in SMW(C) No.3/2020

IN RE COGNIZANCE FOR EXTENSION OF LIMITATION

Petitioner(s)

VERSUS

XXXX

Respondent(s)

IA No. 55865/2021 - APPLICATION FOR PERMISSION

IA No. 116735/2021 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 80945/2021 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 90588/2021 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 65908/2021 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 55869/2021 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 83300/2021 - CLARIFICATION/DIRECTION

IA No. 80949/2021 - EXEMPTION FROM FILING AFFIDAVIT

IA No. 68800/2021 - EXEMPTION FROM FILING AFFIDAVIT

IA No. 68797/2021 - EXEMPTION FROM FILING AFFIDAVIT

IA No. 80992/2021 - EXEMPTION FROM FILING AFFIDAVIT

IA No. 80989/2021 - INTERVENTION APPLICATION

IA No. 116732/2021 - INTERVENTION APPLICATION

IA No. 90585/2021 - INTERVENTION APPLICATION

IA No. 83297/2021 - INTERVENTION APPLICATION

IA No. 55867/2021 - INTERVENTION/IMPLEADMENT

IA No. 65905/2021 - INTERVENTION/IMPLEADMENT)

Date: 23-09-2021 This application was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE L. NAGESWARA RAO

HON'BLE MR. JUSTICE SURYA KANT

For Appearing parties

For UOI

Mr. K.K. Venugopal, AG

Mr. B.V. Balaram Das, AOR

For applicant(s)

Mr. Shivaji M. Jadhav, Adv.

Mr. Manoj K. Mishra, Adv.

Dr. Joseph S. Aristotle, Adv.

Ms. Diksha Rai, Adv.

Mr. Nikhil Jain, Adv.

Mr. Atulesh Kumar, Adv.

Dr. Aman Hingorani, Adv.

Ms. Anzu Varkey, Adv.

Mr. Sachin Sharma, Adv.

Mr. Aljo Joseph, Adv.

Mr. Varinder Kumar Sharma, Adv.

Mr. Abhinav Ramkrishna, AOR

For State of A.P.

Mr. S. Niranjan Reddy, Sr.Adv.

Mr. Mahfooz Ahsan Nazki, AOR-

Mr. Polanki Gowtham, Adv.

Mr. Shaik Mohamad Haneef, Adv.

Mr. T. Vijaya Bhaskar Reddy, Adv.

Mr. Amitabh Sinha, Adv.

Mr. K.V. Girish Chowdary, Adv.

For Patna High Court

Mr. P.H. Parekh, Sr.Adv.

Mr. Sameer Parekh, Adv.

Mr. Kshatrashal Raj, Adv.

Ms. Tanya Chaudhry, Adv.

Ms. Pratyusha Priyadarshini, Adv.

Ms. Nitika Pandey, Adv.

For Registrar General, High Court of Meghalaya

Mr. Soumya Chakraborty, Sr.Adv.

General, High Court Mr. Sanjai Kumar Pathak, Adv.

Ms. Shashi Pathak, Adv.

For Election

Mr. Vikas Singh, Sr.Adv.

Commission of India Mr. Amit Sharma, Adv.

Mr. Dipesh Sinha, Adv.

Ms. Pallavi Barua, Adv.

Mr. Prateek Kumar, Adv.

Mr. Ashok Nijhawan, Adv.

Mr. Aman Bhalla, Adv.

Ms. Anindita Mitra, AOR

Mr. Pawan Reley, Adv.

Mr. Akshay Lodhi, Adv.

Mr. Vinod Sharma, AOR

Mr. Joydip Roy, Adv.

Mr. Sajal Awasthi, Adv.

Mr. Binod Kumar Singh, Adv.

Mr. Parijat Som, Adv.

For High Court of Allahabad

Mr. Yashvardhan, Adv.

Mr. Apoorv Shukla, Adv.

Ms. Smita Kant, Adv.

Ms. Ishita Farsaiya, Adv.

Ms. Prabhleen Kaur, Adv.

Ms. Kritika Nagpal, Adv.

Ms. Bhavya Bhatia, Adv.

For High Court of M.P.

Mr. Arjun Garg, AOR

Mr. Aakash Nandolia, Adv.

Ms. Sagun Srivastava, Adv.

Ns. Sunieta Ojha, AOR

For Gauhati High Court

Mr. P. I. Jose, AOR

Mr. Prashant K. Sharma, Adv.

🖮 . Jenis V. Francis, Adv.

For State of Meghalaya

Mr. Avijit Mani Tripathi, Adv.

Mr. T.K. Nayak, Adv.

Mr. Sahil Tagotra, AOR

For Bombay & Gujarat High Court

Mr. A.P. Mayee, Adv.

M/S. Vkc Law Offices, AOR

Mr. Mukesh K. Giri, AOR

For Calcutta High Court

Mr. Kunal Chatterji, AOR Ms. Maitrayee Banerjee, Adv.

For Arunachal Pradesh

Mr. Abhimanyu Tewari, Adv.

Ms. Eliza Bar, Adv.

For High Court of Chhattisgarh

Mr. Apoorv Kurup, Adv.

Ms. Nidhi Mittal, Adv.

For High Court of Delhi

Ms. Binu Tamta, Adv. Mr. Dhruv Tamta, Adv.

Ms. Pratibha Jain, AOR

Mr. Sanjai Kumar Pathak, AOR

Mr. Divyakant Lahoti, AOR

Mr. Parikshit Ahuja, Adv.

Ms. Praveena Bisht, Adv. Ms. Madhur Jhavar, Adv.

Ms. Vindhya Mehra, Adv.

Mr. Kartik Lahoti, Adv.

Mr. Rahul Maheshwari, Adv.

Ms. Shivangi Malhotra, Adv.

For High Court of **Jharkhand**

Mr. Tapesh Kumar Singh, AOR Mr. Aditya Pratap Singh, Adv. Mrs. L. Bhaswati Singh, Adv.

Mr. Aditya Narayan Das, Adv.

Ms. Uttara Babbar, AOR Mr. Manan Bansal, Adv.

UPON hearing the counsel the Court made the following $O\ R\ D\ E\ R$

We dispose of the M.A. No.665 of 2021 with the following directions: -

- I. In computing the period of limitation for any suit, appeal, application or proceeding, the period from 15.03.2020 till 02.10.2021 shall stand excluded. Consequently, the balance period of limitation remaining as on 15.03.2021, if any, shall become available with effect from 03.10.2021.
- II. In cases where the limitation would have expired during the period between 15.03.2020 till 02.10.2021, notwithstanding the actual balance period of limitation remaining, all persons shall have a limitation period of 90 days from 03.10.2021. In the event the actual balance period of limitation remaining, with effect from 03.10.2021, is greater than 90 days, that longer period shall apply.
- III. The period from 15.03.2020 till 02.10.2021 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.

IV. The Government of India shall amend the guidelines for containment zones, to state.

"Regulated movement will be allowed for medical emergencies, provision of essential goods and services, and other necessary functions, such as, time bound applications, including for legal purposes, and educational and job-related requirements."

As a sequel to disposal of MA No.665/2021, pending interlocutory applications, including the applications for intervention/impleadment, also stand disposed of.

(SATISH KUMAR YADAV) (R.S. NARAYANAN)
DEPUTY REGISTRAR COURT MASTER (NSH)
(Signed reportable order is placed on the file)

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THE GAUHATI HIGH COURT AT GUWAHATI
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

NOTIFICATION NO. 80 Dated Guwahati, the 5th October, 2021

It is for information to all concerned that Vacation Courts will be held on 11th, 16th, 21st and 22nd of October, 2021 and for listing urgent matters in Vacation Courts, learned Counsels are requested to send their applications in the email addresses (in the format annexed herewith) as mentioned below:

11 th October	Civil	court9.ghc@gmail.com
	Criminal	court17.ghc@gmail.com
16 th October	Criminal	court13.ghc@gmail.com
	Civil	court18.ghc@gmail.com
21st October	Civil	court18.ghc@gmail.com
	Criminal	court20.ghc@gmail.com
22 nd October	Civil	court14.ghc@gmail.com
	Criminal	court16.ghc@gmail.com

Following Hon'ble Judges will hold the Vacation Courts in the Gauhati High Court (Principal Seat):

Hon'ble Mr. Justice K.R. Surana
Hon'ble Mr. Justice H.K. Sarma
Hon'ble Mr. Justice S.K. Medhi
Hon'ble Mr. Justice Manish Choudhury
Hon'ble Mr. Justice Soumitra Saikia
Hon'ble Mr. Justice P.J. Saikia
Hon'ble Mr. Justice Robin Phukan

Further, though there is no Vacation Court on 12th, 13th, 15th and 19th of October, 2021; in the event of extraordinary urgent matters, request may be sent for consideration of hearing in the e-mail addresses (in the format annexed herewith) as mentioned below:

12 th October	court17.ghc@gmail.com	
	court5.ghc@gmail.com	
13 th October	court3.ghc@gmail.com	
15 th October	courts.gric@gridines	
	court8.ghc8@gmail.com	
19 th October		

Following Hon'ble Judges will hold the Courts in the Gauhati High Court (Principal Seat) in the event of extraordinary urgent matters:

Hon'ble Mr. Justice M.R. Pathak
 Hon'ble Mr. Justice Suman Shyam
 Hon'ble Mr. Justice A.M. Bujar Barua
 Hon'ble Mr. Justice Soumitra Saikia

Although, as per Registry's earlier Notification No. 77 dated 15th September, 2021, the 16th October, 2021 (Saturday) is declared as holiday, the employees of the Registry who are related to the functioning of Courts shall attend duty on that day on the account of Vacation Court Day.

By Order,

Sd/-Raktim Duarah REGISTRAR GENERAL

Memo No. HC.III-37/2016/5 600 - 5034G, dated 5th October, 2021 Copy to:

The Secretary General, Supreme Court of India, New Delhi.

The Advocate General, Assam/ Nagaland/ Mizoram/ Arunachal Pradesh, Gauhati High Court, Guwahati. 2.

_), Gauhati High Court, Guwahati.

The Registrar, Gauhati High Court, Kohima Bench, Kohima/ Aizawl The Registrar (___ Bench, Aizawl,/Itanagar Bench, Naharlagun for information and 3. necessary action.

5.

The President/ Secretary General, Gauhati High Court

The President/ General Secretary, Gauhati High Court Advocates'

The Chairman, Bar Council of Assam, Nagaland, Mizoram, Arunachal Pradesh & Sikkim, Gauhati High Court (Old Block), Guwahati.

9. The Secretary, High Court Bar Association Kohima Bench, Kohima/ Aizawl Bench, Aizawl/ Itanagar Bench, Naharlagun. 10. The Secretary, Bar Association, Dimapur, Nagaland. 11. The President / General Secretary, All Assam Lawyers' Association, Guwahati. 12. The Secretary, Lawyers' Association, Guwahati. 13. The Senior Govt. Advocate, Assam/ Nagaland/ Mizoram/ Arunachal Pradesh, Gauhati High Court, Guwahati. 14. The District & Sessions Judge, Assam. 15. The Registrar-cum-Principal Secy. to Hon'ble the Chief Justice, Gauhati High Court, Guwahati. 16. The L.R. & Secretary to the Govt. of Assam, Judicial Department, Dispur, Guwahati. 17. The Director, Judicial Academy, Amingaon, Guwahati, Assam. 18. The Assistant Solicitor General of India, Gauhati High Court, Guwahati. The Joint Registrar (______), Gauhati High Court, Guwahati.
 The Deputy Registrar (______), Gauhati High Court, Guwahati. 21. The Director, Law Research Institute, Gauhati High Court, Guwahati. 22. The Asstt. Registrar (_______), Gauhati High Court, Guwahati. 23. The Court Manager, Gauhati High Court, Guwahati 24. The Special Officer, Translation Wing, Gauhati High Court, Guwahati. 25. The Secretary, High Court Legal Aid Committee, Gauhati High Court, Guwahati. 26. The Librarian-cum-Research Officer, Gauhati High Court, Guwahati. 27. The Project Manager, Computer Section, Gauhati High Court, Guwahati. He is requested to upload the notification in the website of Gauhati High Court. 28. The P.S to Hon'ble Mr. / Mrs. Justice ______, Judge, Gauhati High Court, Guwahati. The Admn. Officer (J) (______ __), Gauhati High Court, Guwahati. 30. The Court Officer Nos. I & II, Gauhati High Court, Guwahati. 31. The Court Master, Court No._____, Gauhati High Court, Guwahati. 32. Medical Officer, Guwahati High Court Medical Unit. 33. The C.A. to the Registrar General, Gauhati High Court, Guwahati 34. The Chief Security Officer, Gauhati High Court, Guwahati

35. The Manager, Staff Canteen of the Gauhati High Court (Old

Court(New Block), Guwahati.

Guwahati.

Block), Guwahati / The Manager, High Court Canteen, Gauhati High

36. The Notice Boards in New Block & Old Block, Gauhati High Court,

0 ()

REGISTRAR GENERAL

5/10/2021

MENTION FORM FOR URGENT LISTING OF CASES IN THE VACATION COURT

1	Name of Advocate seeking posting	:	
2	Case No.	:	
3	Date of Filing and Filing No.	:	
4	Contact No. of Advocate	:	
5	E-mail I.D. of Advocate	:	
6	Date on which posting is sought	:	
7	Stage of the Case	 	
,	(Motion/Admission/Orders/Hearing etc.)		
8	Nature of Urgency		