

अनूप कुमार मेंदीरत्ता  
Anoop Kumar Mendiratta



सचिव  
विधि और न्याय मंत्रालय  
भारत सरकार  
SECRETARY  
DEPARTMENT OF LEGAL AFFAIRS  
MINISTRY OF LAW & JUSTICE  
GOVERNMENT OF INDIA

DO.No.A-60011(6)/20/2016-Admn.III(LA)

Dated the 06<sup>th</sup> August, 2020

**Subject : Extension of time-limit prescribed under section 12A of the Commercial Courts Act, 2015 – reg.**

Dear Registrar General,

You may be aware that, taking note of the situation arising out of the challenge faced by the country on account of Covid-19 pandemic and resultant difficulties that may be faced by litigants across the country, the Hon'ble Supreme Court of India invoking power under Article 142 read with Article 141 of Constitution of India vide order dated 23<sup>rd</sup> March 2020, extended the period of limitation prescribed under the general law of limitation or under Special Laws in respect of the proceedings referred therein, w.e.f. 15<sup>th</sup> March, 2020 till further orders in *Suo Motu* Writ Petition (Civil) No(s).3/2020. Thereafter, the Hon'ble Supreme Court vide order dated 6<sup>th</sup> May 2020 extended all periods of limitation prescribed under the Arbitration and Conciliation Act, 1996 and under section 138 of the Negotiable Instruments Act, 1881 till further orders to be passed by the Supreme Court of India in said proceedings.

2. In this regard, Department of Legal Affairs, Ministry of Law and Justice had *inter-alia* requested the Ld. AG to seek appropriate directions of the Hon'ble Court on the issue of extension of time limit prescribed under section 12A of the Commercial Courts Act, 2015 for the conduct of Pre-institution Mediation and Settlement (PIMS). Consequently, Hon'ble Supreme Court of India vide order dated 10.07.2020 has extended the above time-period (copy enclosed). The Court has directed that ***"the said time shall stand extended from the time when the lockdown is lifted plus 45 days thereafter. That is to say that if the above period, i.e. the period of lockdown plus 45 days has expired, no further period shall be liable to be excluded"***.

3. I am, therefore, to request you to inform the State Legal Services Authority and the District Legal Services Authorities under your jurisdiction regarding the extension of time-limit prescribed for PIMS under section 12A of the Commercial Courts Act, 2015 for necessary action. The same may also be displayed on the website for public awareness.

With warm regards,

Yours sincerely,

  
(Anoop Kumar Mendiratta)

MS  
DIA  
10/18  
US  
Encl : As above.

To

The Registrars General of all High Courts (as per list enclosed).