

SYNOPSIS/LIST OF DATES

This Hon'ble Court had by order dated 23.03.2020 taken Suo Motu cognizance of the situation arising out of the challenge faced by the country on account of Covid-19 Virus and resultant difficulties that may be faced by litigants across the country in filing their petitions/applications/suits/ appeals/all other proceedings within the period of limitation prescribed under the general law of limitation or under Special Laws (both Central and/or State).

That after the passing of the above dated order various directions were issued by this court from time to time. That this Hon'ble Court had finally disposed of the suo motu proceedings via order dated 08.03.2021.

That subsequent year after the country faced the second wave of pandemic upon an application being moved by the applicant Supreme Court Advocates on Record Association (hereinafter referred to as SCAORA) this Hon'ble Court by its order dated 27.04.2021, after taking judicial notice of the fact, that steep rise in Covid cases is not limited to Delhi alone but has also engulfed the entire nation, was pleased to restore its order dated 23.03.2020, as a result of which limitation, as prescribed under the general or specific law, in respect of judicial and quasi-judicial, proceedings were put in abeyance.

It is humbly submitted that past two years have been very unkind to the entire human race and as of now there seems to

be no ending to this misery towards their human race, once again the nation is facing a threat in form of a new form of disease namely Omicron.

It is respectfully submitted that the applicant is also concerned with regard to the health of the members of the bar & litigants, as the past few years have been very painful, where there has been an irreparable loss to human race.

#### LIST OF DATES & EVENTS

Date	Particulars of Events
23.03.2020	This Hon'ble Court had by order dated 23.03.2020 had taken Suo Motu cognizance of the situation arising out of the challenge faced by the country on account of Covid-19 Virus and resultant difficulties that may be faced by litigants across the country in filing their petitions/applications/suits/ appeals/all other proceedings within the period of limitation prescribed under the general law of limitation or under Special Laws (both Central and/or State). A True Copy of the Order dated 23.03.2020 passed by this Hon'ble Court in Suo Motu Writ Petition (C) NO. 3 of 2020 is annexed & marked herewith as ANNEXURE A-1

@ Page No. 9 to 10

08.03.2021 This Hon'ble Court disposed of the Suo Motu Writ Petition (C) NO. 3 of 2020. A True Copy of the Order dated 08.03.2021 passed by this Hon'ble Court in Suo Motu Writ Petition (C) NO. 3 of 2020 is annexed & marked herewith as ANNEXURE A-2 @ Page No. 11 to 13

15.04.2021 A Miscellaneous Application No. 665 of 2021 came to be filed by SCAORA, upon which this  
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27.04.2021 Hon'ble Court by its order dated 27.04.2021, after taking judicial notice of the fact, that steep rise in Covid cases is not limited to Delhi alone but has also engulfed the entire nation, was pleased to restore its order dated 23.03.2020, as a result of which limitation, as prescribed under the general or specific law, in respect of judicial and quasi-judicial, proceedings were put in abeyance. A True Copy of Order dated 27.04.2021 passed by this Hon'ble Court in M.A. No. 665 of 2021 is annexed and marked herewith as ANNEXUE A-3 @ Page No. 14 to 19.

23.09.2021 That this Hon'ble Court after seeing the

normalcy having returned, disposed of M.A. No. 665 of 2021 with detailed directions mentioned therein with regard to the benefit of limitation, the contents of which not being repeated herein for the sake of brevity. A True Copy of Order dated 23.09.2021 passed by this Hon'ble Court in M.A. No. 665 of 2021 is annexed and marked herewith as ANNEXUE A-4@ Page No. 20 to 24.

04.01.2022 It is humbly submitted that past two years have been very unkind to the entire human race and as of now there seems to be no ending to this misery towards their human race, once again the nation is facing a threat in form of a new form of disease namely Omicron. Hence, the present application

IN THE SUPREME COURT OF INDIA

M.A. NO. OF 2022

IN  
M.A. NO. OF 2021  
IN

SUO MOTU WRIT PETITION (CIVIL) NO. 3 OF 2020

IN THE MATTER OF:

IN RE: COGNIZANCE FOR EXTENSION  
OF LIMITATION ...PETITIONER

VS  
XXXX ...RESPONDENTS

AND IN THE MATTER OF

Supreme Court Advocate on Record Association, Through its  
Hony. Secretary , ...APPLICANT

AN APPLICATION UNDER ARTICLE 142 OF THE CONSTITUTION  
OF INDIA RED WITH ORDER LV RULE 6 OF THE SUPREME  
COURT RULES 2013 FOR ISSUANCE URGENT DIRECTIONS

To

The Hon'ble Chief Justice of India and his  
Companion Justices of the Hon'ble Supreme  
Court of India.

The Application for Intervention of the  
Applicant abovenamed:

MOST RESPECTFULLY SHEWETH:

1. That Instant Application has been filed the applicant before this Hon'ble Court which is a body well recognised and has from time to time played a common role in asserting the issues which are necessary for the protection of legal rights and constitutional rights of an individual and bar at large and therefore the applicant further submits that after the passing of the order dated 23.09.2021 in an application being M.A No. 665 of 2021 (which was also filed by the applicant after the second wave of Covid struck the entire nation), there has been a sudden and drastic change in situation with regard to the pandemic, as a new variant more particularly Omicron has seen a drastic surge, which has nearly brought to halt the normalcy which was achieved, with great patience at the cost of the loss of life of loved and dear one both within the bar and the bench.
2. That the content of the present application may be read as a part and parcel of the application for direction, the content same is not being repeated for the sake of brevity.
3. The Hon'ble Court had by order dated 23.03.2020 had taken Suo Motu cognizance of the situation arising out of the challenge faced by the country on account of Covid-19 Virus and resultant difficulties that may be faced by litigants across the country in filing their petitions/applications/suits/appeals/all other proceedings within the period of limitation prescribed under the general law of limitation or under Special

Laws (both Central and/or State). A Copy of the Order dated 23.03.2020 passed by this Hon'ble Court in Suo Motu Writ Petition (C) NO. 3 of 2020 is annexed & marked herewith as ANNEXURE A-1 @ Page No. to.

4. That this Hon'ble Court had finally disposed of the suo motu proceedings via order dated 08.03.2021 A Copy of the Order dated 08.03.2021 passed by this Hon'ble Court in Suo Motu Writ Petition (C) NO. 3 of 2020 is annexed & marked herewith as ANNEXURE A-2 @ Page No. to.

5. That a Miscellaneous Application No. 665 of 2021 came to be filed by SCAORA, upon which this Hon'ble Court by its order dated 27.04.2021, after taking judicial notice of the fact, that steep rise in Covid cases is not limited to Delhi alone but has also engulfed the entire nation, was pleased to restore its order dated 23.03.2020, as a result of which limitation, as prescribed under the general or specific law, in respect of judicial and quasi-judicial, proceedings were put in abeyance. A True Copy of Order dated 27.04.2021 passed by this Hon'ble Court in M.A. No. 665 of 2021 is annexed and marked herewith as ANNEXUE A-3 @ Page No. to.

6. That this Hon'ble Court after seeing the normalcy having returned, disposed of M.A. No. 665 of 2021 with detailed directions mentioned therein with regard to the benefit of limitation, the contents of which not being repeated herein for the sake of brevity. A True Copy of Order dated 23.09.2021

passed by this Hon'ble Court in M.A. No. 665 of 2021 is annexed and marked herewith as ANNEXUE A-4@ Page No. to.

7. That the circumstance which can be best assessed based upon the data furnished by the government of NCT of Delhi with regard to the daily surge in the Covid cases and for the said purpose the applicant would like to give the details of the surge in the Covid cases.

S. No.	Date	Number of Covid Fresh Cases Recorded in Delhi on Given Date	Number of Covid Death Cases in Delhi
1.	04.01.2022	5481	03
1	03.01.2022	4097	01
2	02.01.2022	3194	01
3	01.01.2022	2716	01
4	31.12.2021	1796	00
5	30.12.2021	1313	00
6	29.12.2021	923	00
7	28.12.2021	496	00
8	27.12.2021	331	00

8. That the similar situation has been witnessed in Maharashtra and across the country and few of the states have restricted the movement of the people so as to curtail the spread of the new mutant virus and thus has become necessary to restore the



order dated 23.03.2020 & 27.04.2021 passed by this Hon'ble Court as certain lawyers practicing before this Hon'ble Court has also been affected by the virus and are currently hospitalized.

#### GROUNDS

- A. That the present situation across the country with regard to public health and safety as once again become a matter of concern as, it is a well-known fact that the vaccination process and procedure has been limited to certain age group and each and every eight section of the society is yet to get back Senate it and considering the alarming rate at which there is a rise in the mortality rate due to Covid and also the rise in the new cases, it becomes necessary to restore the relaxation with regard to the period of limitation as had been considered earlier by this Hon'ble Court.
- B. That it has also been reported and has come into the knowledge of the applicant association that quite large number of the staff of this Hon'ble Court has been affected by the new variant of the covid and thus it becomes all the more necessary to restore the order dated 23.03.2020 & 27.04.2021
- C. That it cannot be disputed that the public health is of utmost importance and therefore the issue of limitation which may arise in certain cases is required to be relaxed in the light of the present situation
- D. That the applicant before this court is a body well recognised and has from time to time played a common

role in asserting the issues which are necessary for the protection of legal rights and constitutional rights of an individual and bar at large.

10. It is respectfully submitted that earlier an application being M.A. No. 665 of 2021 in wake of second wave of pandemic had been filed earlier by the applicant association on the above issue and therefore in the interest of justice, due to change emergent change in situation, the present application may kindly be allowed in terms of the prayer made herein below.

#### PRAYER

It is, therefore, most respectfully prayed that your lordships may be pleased to:

- i. allow the present application by restoring the order dated 23.03.2020 passed by this Hon'ble Court in *Suo Motu Writ Petition (C) NO. 3 of 2020* ; and
- ii. allow the present application by restoring the order dated 27.04.2021 passed by this Hon'ble Court in *M.A. no. 665 of 2021 in *Suo Motu Writ Petition (C) NO. 3 of 2020* ; and*
- iii. pass such other order or orders as this Hon'ble Court may deem fit and proper.

AND FOR THIS ACT OF KINDNESS YOUR HUMBLE PETITIONER AS IN DUTY BOUND SHALL EVER PRAY.

DRAFTED ON: 01.01.2022

FILED ON 04.01.2022

PLACE : NEW DELHI

DRAWN & FILED BY:

ABHINAV RAMKRISHNA

Advocate for the Petitioner