



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

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Date of decision: 25.04.2025

- (1) CWP-2558-2021 (O&M)
The BSNL Telecom Employees Urban Salary Earners Co-Operative Thrift
And Credit Society Limited vs State Of Punjab And Others
- (2) CWP-3846-2021 (O&M)
The BSNL Telecom Employees Urban Salary Earners Cooperative Thrift
And Credit Society Limited vs State Of Punjab And Others
- (3) CWP-3854-2021 (O&M)
The BSNL Telecom Employees Urban Salary Earners Cooperative Thrift
And Credit Society Limited vs State Of Punjab And Others

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Anupam Bhardwaj, Advocate for the petitioners

Ms. Shruti, AAG Punjab

Mr. Ashwani Prashar, Advocate for respondent No.6

AMAN CHAUDHARY, J. (ORAL)

1. These cases involve similar issues and therefore, are being disposed of together by this common order.
2. Learned counsel submits that the against the order dated 17.01.2020, a statutory appeal was preferred by the petitioners on 18.05.2020, which has been dismissed on the ground of limitation without taking into account the judgment of Hon'ble the Supreme Court in Suo Motu Writ Petition (C) No.3 of 2020 in Re:Cognizance for extension of limitation, passed during Covid extending the period of limitation and prays that the matter be decided on its merits. Relevant paras whereof read thus:

“ 2. On 23.03.2020, this Court directed extension of the period of limitation in all proceedings before Courts/Tribunals including this Court w.e.f. 15.03.2020 till further orders. 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.

3. Thereafter, due to a second surge in COVID-19 cases, 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 relaxing limitation. The aforesaid Miscellaneous Application No.665 of 2021 was disposed of by this Court vide Order dated 23.09.2021, wherein this Court extended the period of limitation in all proceedings before the Courts/Tribunals including this Court w.e.f 15.03.2020 till 02.10.2021.

5. Taking into consideration the arguments advanced by learned counsel and the impact of the surge of the virus on public health and adversities faced by litigants in the prevailing conditions, we deem it appropriate to dispose of the M.A. No. 21 of 2022 with 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.”



4. Learned counsel for respondent No.6 though despite best efforts is unable to resist the prayer made, however, states if it is being accepted. The appeal be directed to be decided in a time bound manner.
5. Keeping in view the facts and circumstances of the case and the judgment aforesaid, the matter is remanded back to the appellate authority for its decision on merits. The parties are directed to appear before the Deputy Registrar, Cooperative Societies, Amritsar on 29.05.2025 and the same be decided within a period of 4 months, in accordance with law.
6. Interim order granted vide order dated 09.02.2021 shall continue till the decision of the appeal.
7. A photocopy of this order be placed on the files of connected cases.

(AMAN CHAUDHARY)
JUDGE

25.04.2025

M.Kamra

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No