



The Jammu and Kashmir Limitation Act, 1938

Act 9 of 1938

Keyword(s):

Applicant, Bills of Exchange, Bond, Defendant, Omitted, Foreign Country, Good Faith, Plaintiff, Promissory Note, Suit, Trustee

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THE FIRST SCHEDULE

THE LIMITATION ACT, 1995 (1938 A. D.)**ACT NO. IX OF 1995**

[Received assent of His Highness the Maharaja Bahadur on 27th June, 1938/14th Har, 1995 and published - in the Government Gazette dated 7th Assuj, 1995.]

An Act to Consolidate and amend the Law for the Limitation of Suits, and for other purposes.

Whereas it is expedient to consolidate and amend the law relating to the limitation of suits, appeals and certain applications to Courts ; and

Whereas it is also expedient to provide rules for acquiring by possession the ownership of property ; It is hereby enacted as follows :-

PART I**Preliminary**

1. Short title, extent and commencement.—(1) This Act may be called the Limitation Act No. IX of 1995.

(2) It extends to the whole of Jammu and Kashmir State including the Illaqa of Poonch and Chenani.

(3) It shall come into force one year after the date when after receiving the assent of His Highness the Maharaja Bahadur it is published in the Government Gazette.

2. Definitions.—In this Act, unless there is anything repugnant in the subject or context,—

(1) “applicant” includes any person from or through whom an applicant derives his right to apply ;

(2) “bills of exchange” includes a hundi, brat and a cheque ;

(3) “bond” includes any instrument whereby a person obliges himself to pay money to another, on condition that the obligation shall be void if a specified act is performed, or is not performed, as the case may be ;

(4) "defendant" includes any person from or through whom a defendant derives his liability to be sued ;

(5) omitted ;

(6) "foreign country" means any country other than India ;

(7) "good faith" nothing shall be deemed to be done in good faith which is not done with due care and attention ;

(8) "plaintiff" includes any person from or through whom a plaintiff derives his right to sue ;

(9) "promissory note" means any instrument whereby the maker engages absolutely to pay a specified sum of money to another at a time therein limited, or on demand, or at sight ;

(10) "suit" does not include an appeal or an application ; and

(11) "trustee" does not include a benamindar, a mortgagee remaining in possession after the mortgagee has been satisfied, or a wrong-doer in possession without title.

PART II

Limitation of Suits, Appeals and Applications

3. Dismissal of suits, etc., instituted, etc. after period of limitation.—Subject to the provisions contained in sections 4 to 25 (inclusive), every suit instituted, appeal preferred, and application made, after the period of limitation prescribed therefor by the first Schedule shall be dismissed, although limitation has not been set up as a defence.

Explanation.—A suit is instituted, in ordinary cases, when the plaint is presented to the proper officer ; in the case of a pauper, when his application for leave to sue as a pauper is made ; and, in the case of a claim against a company which is being wound up by the Court, when the claimant first sends in his claim to the official liquidator.

4. Where Court is closed when period expires.—Where the period of limitation prescribed for any suit, appeal or application expires on a day when the Court is closed, the suit, appeal or application may be instituted, preferred or made on the day that the Court re-opens.

5. Extension of period in certain cases.—An appeal or an application for a review of a judgment or for leave to appeal or an application to set aside an order of dismissal of a suit for plaintiff's default or an application to set aside a decree passed *ex-parte* in an original suit or appeal or an application to bring the heirs of a deceased party on the record or an application to set aside an order of abatement of a suit or appeal or any other application to which this section may be made applicable by or under an enactment for the time being in force may be admitted after the period of limitation prescribed therefor, when the appellant or applicant satisfies the Court that he had sufficient cause for not preferring the appeal or making the application within such period.

Explanation.—The fact the appellant or applicant was misled by any order, practice or judgment of the High Court in ascertaining or computing the prescribed period of limitation may be sufficient cause within the meaning of this section.

6. Legal disability.—(1) Where a person entitled to institute a suit or make an application for the execution of a decree is, at the time from which the period of limitation is to be reckoned, a minor, or insane, or an idiot, he may institute the suit or make the application within the same period after the disability has ceased, as would otherwise have been allowed from the time prescribed therefor in the third column of the first Schedule.

(2) Where such person is, at the time from which the period of limitation is to be reckoned, affected by two such disabilities, or where, before his disability has ceased, he is affected by another disability, he may institute the suit or make the application within the same period, after both disabilities have ceased, as would otherwise have been allowed from the time so prescribed.

(3) Where the disability continues up to the death of such person, his legal representative may institute the suit or make the application within the same period after the death as would otherwise have been allowed from the time so prescribed.

(4) Where such representative is at the date of the death affected by any such disability, the rules contained in sub-sections (1) and (2) shall apply.

Illustrations

(a) The right to sue for the hire of a boat accrues to A during his minority. He attains majority four years after such accrues. He may institute his suit at any time within three years from the date of his attaining majority.

(b) A right to sue accrues to X during his minority. After the accrues, but while X is still a minor, he becomes insane. Time runs against X from the date when his insanity and minority cease.

(c) A right to sue accrues to X during his minority. X dies before attaining majority, and is succeeded by Y, his minor son. Time runs against Y from the date of his attaining majority.

7. Disability of one of several plaintiffs or applicants.—Where one of several persons jointly entitled to institute a suit or make an application for execution of a decree is under any such disability, and a discharge can be given without the concurrence of such person, time will run against them all ; but, where no such discharge can be given, time will not run as against any of them until one of them becomes capable of giving such discharge without the concurrence of the others or until the disability has ceased.

Illustrations

(a) A incurs a debt to a firm of which B, C and D are partners. B is insane, and C is a minor. D can give a discharge of the debt without the concurrence of B and C. Time runs against B, C and D.

(b) A incurs a debt to a firm of which E, F and G are partners, E and F are insane, and G is a minor. Time will not run against any of them until either E or F becomes sane, or G attains majority.

8. Special exceptions.—Nothing in section 6 or in section 7 applies to suits to enforce rights of prior purchase, or shall be deemed to extend, for more than three years from the cessation of the disability or the death of the person affected thereby, the period within which any suit must be instituted or application made.

Illustrations

(a) A, to whom a right to sue for a legacy has accrued during his minority, attains majority eleven years after such accrues. A has, under the ordinary law, only one year remaining within which to sue.

But under section 6 and this section an extension of two years will be allowed to him, making in all a period of three years from the date of his attaining majority, within which he may bring his suit.

(b) A right to sue for an hereditary office accrues to A who at the time is insane. Six years after the accruer A recovers his reason. A has six years, under the ordinary law, from the date when his insanity ceased within which to institute a suit. No extension of time will be given him under section 6 read with this section.

(c) A right to sue as landlord to recover possession from a tenant accrues to A, who is an idiot. A dies three years after the accruer, his idiocy continuing up to the date of his death. A's representative-in-interest has, under ordinary law, nine years from the date of A's death within which to bring a suit. Section 6 read with this section does not extend that time, except where the representative is himself under disability when the representation devolves upon him.

9. Continuous running of time.—Where once time has begun to run, no subsequent disability or inability to sue stops it:

Provided that, where letters of administration to the estate of a creditor have been granted to his debtor, the running of the time prescribed for the suit to recover the debt shall be suspended while the administration continues.

10. Suits against express trustees and their representatives.—Notwithstanding anything hereinbefore contained, no suit against a person in whom property has become vested in trust for any specific purpose, or against his legal representatives or assigns (not being assigns for valuable consideration), for the purpose of following in his or their hands such property, or the proceeds thereof or for an account of such property or proceeds, shall be barred by any length of time.

For the purposes of this section any property comprised in a Hindu, Mohammedan, Budhist religious or charitable endowment shall be deemed to be property vested in trust for a specific purpose, and the manager of any such property shall be deemed to be the trustee thereof.

11. Suits on foreign contracts.—Suits instituted in the State on contracts entered into in a foreign country are subject to the rules of limitation contained in this Act.

(2) No foreign rule of limitation shall be a defence to a suit instituted in the State on a contract entered into in a foreign country, unless the rule has extinguished the contract and the parties were domiciled in such country during the period prescribed by such rule.

PART III

Computation of Period of Limitation

12. Exclusion of time in legal proceedings.—(1) In computing the period of limitation prescribed for any suit, appeal or application, the day from which such period is to be reckoned shall be excluded.

(2) In computing the period of limitation prescribed for an appeal, an application for leave to appeal and an application for a review of judgment, the day on which the judgment complained of was pronounced, and the time requisite for obtaining a copy of the decree, sentence or order appealed from or sought to be reviewed, shall be excluded. In an appeal from an appellate decree or order so much of the time requisite for obtaining a copy of the judgment of the Court of first instance for the purpose of being filed with the memorandum of appeal shall also be excluded as may be in excess of the time spent in obtaining a copy of the decree or order appealed against and that of the judgment on which the said decree is founded, but no part of the time common to the copies shall be counted twice over.

Illustrations

An application for copy of the decree appealed against and the judgment on which the said decree is founded is made on the 10th of June. An application for copy of the first Court's judgment is made on the 25th June. The period requisite for the supply of copies under the first application runs up to the 5th July and under the second to the 10th July. The time common to the copies from the 25th of June to the 5th of July shall be counted only once.

(3) Where a decree is appealed from or sought to be reviewed, the time requisite for obtaining a copy of the judgment on which it is founded shall also be excluded. Where in filing a second appeal it is incumbent on the appellant to file a copy of the judgment of the first Court, the time requisite for obtaining such copy shall be excluded.

(4) In computing the period of limitation prescribed for an application to set aside an award, the time requisite for obtaining a copy of the award shall be excluded.

Explanation.—The time requisite for obtaining a copy will be the time between the date when the estimated cost of a copy is paid in by the applicant in accordance with the order passed in this respect and the date when the copy is ready and a notice is put up notifying the fact. The day of paying the cost of the copy and the day on which the copy is delivered will both be excluded.

13. Exclusion of time of defendants absence from the State.—In computing the period of limitation prescribed for any suit, the time during which the defendant has been absent from the State shall be excluded.

14. Exclusion of time of proceeding bona fide in Court without jurisdiction.—(1) In computing the period of limitation prescribed for any suit, the time during which the plaintiff has been prosecuting with due diligence another civil proceeding, whether in a Court of first instance or in a Court of appeal, against the defendant, shall be excluded, where the proceeding is founded upon the same cause of action and is prosecuted in good faith in a Court which, from defect of jurisdiction, or other cause of a like nature, is unable to entertain it.

(2) In computing the period of limitation prescribed for any application, the time during which the applicant has been prosecuting with due diligence another civil proceeding, whether in a Court of first instance or in a Court of appeal, against the same party for the same relief shall be excluded, where such proceeding is prosecuted in good faith in a Court which from defect of jurisdiction or other cause of a like nature, is unable to entertain it.

Explanation 1.—In excluding the time during which a former suit or application was pending, the day on which that suit or application was instituted or made, and the day on which the proceedings therein ended, shall both be counted.

Explanation II.—For the purposes of this section, a plaintiff or an applicant resisting an appeal shall be deemed to be prosecuting a proceeding.

Explanation III.—For the purposes of this section misjoinder of parties or of causes of action shall be deemed to be a cause of like nature with defect of jurisdiction.

Explanation IV.—In suitable cases proceedings in the Revenue Department may come within the expression civil proceedings as used in the section.

15. Exclusion of time during which proceedings are suspended.—

(1) In computing the period of limitation prescribed for any suit or application for the execution of a decree, the institution or execution of which has been stayed by injunction or order, the time of the continuance of the injunction or order, the day on which it was issued or made, and the day on which it was withdrawn, shall be excluded.

(2) In computing the period of limitation prescribed for any suit of which notice has been given in accordance with the requirements of any enactment for the time being in force, the period of such notice shall be excluded.

16. Exclusion of time during which proceedings to set aside execution sale are pending.—In computing the period of limitation prescribed for a suit for possession by a purchaser at a sale in execution of a decree, the time during which a proceeding to set aside the sale has been prosecuted shall be excluded.

17. Effect of death before right to sue accrues.—(1) Where a person, who would, if he were living, have a right to institute a suit or make an application, dies before the right accrues, the period of limitation shall be computed from the time when there is a legal representative of the deceased capable of instituting or making such suit or application.

(2) Where a person against whom, if he were living, a right to institute a suit or make an application would have accrued dies before the right accrues, the period of limitation shall be computed from the time when there is a legal representative of the deceased against whom the plaintiff may institute or make such suit or application.

(3) Nothing in sub-sections (1) and (2) applies to suits to enforce rights of prior purchase or to suits for the possession of immovable property or of an hereditary office.

18. Effect of fraud.—Where any person having a right to institute a suit or make an application has, by means of fraud, been kept from the knowledge of such right or of the title on which it is founded,

or where any document necessary to establish such right has been fraudulently concealed from him, the time limited for instituting a suit or making an application—

(a) against the person guilty of the fraud or accessory thereto, or

(b) against any person claiming through him otherwise than in good faith and for a valuable consideration, shall be computed from the time when the fraud first became known to the person injuriously

affected thereby or, in the case of the concealed document, when he first had the means of producing it or compelling its production.

19. Effect of acknowledgement in writing.—(1) Where before, the expiration of the period prescribed for a suit or application in respect of any property or right, an acknowledgment of liability in respect of such property or right has been made in writing signed by the party against whom such property or right is claimed, or by some person through whom he derives title or liability, a fresh period of limitation shall be computed from the time when the acknowledgment was so signed.

(2) Where the writing containing the acknowledgment is undated, oral evidence may be given of the time when it was signed ; but, subject to the provisions of the Evidence Act (XIII of 1977), oral evidence of its contents shall not be received.

Explanation I.—For the purposes of this section an acknowledgment may be sufficient though it omits to specify the exact nature of the property or right, or avers that the time for payment, delivery, performance or enjoyment has not yet come, or is accompanied by a refusal to pay, deliver, perform or permit to enjoy, or is coupled with a claim to a set-off, or is addressed to a person other than the person entitled to the property or right.

Explanation II.—For the purposes of this section, “signed” means signed either personally or by an agent duly authorised in this behalf.

Explanation III.—For the purposes of this section an application for the execution of a decree or order is an application in respect of a right.

20. Effect of payment of interest as such or of part payment of principal.—(1) Where interest on a debt or legacy is, before the expiration of the prescribed period, paid as such by the person liable to pay the debt or legacy, or by his agent duly authorised in this behalf, or where part of the principal of a debt is, before the expiration of the prescribed period, paid by the debtor or by his agent duly authorised in this behalf,

a fresh period of limitation shall be computed from the time when the payment was made :

Provided that, an acknowledgement of the payment appears in the handwriting of, or in a writing signed by the person making the payment.

(2) **Effect of receipt of produce of mortgaged land.**—Where mortgaged land is in the possession of mortgagee, the receipt of the rent

or produce of such land shall be deemed to be a payment for the purpose of sub-section (1).

Explanation.—Debt includes money payable under a decree or order of Court.

21. Agent of person under disability.—(1) The expression “agent duly authorised in this behalf”, in sections 19 and 20, shall, in the case of a person under disability, include his lawful guardian, committee or manager, or an agent duly authorised by such guardian, committee or manager to sign the acknowledgement or make the payment.

(2) **Acknowledgement or payment by one of several joint contractors etc.**—Nothing in the said sections renders one of several joint contractors, partners, executors or mortgagees chargeable by reason only of a written acknowledgment signed or of payment made by, or by the agent of, any other or others of them.

(3) For the purposes of the said sections—

(a) an acknowledgement signed, or payment made, in respect of any liability, by, or by the duly authorised agent of, any widow or other limited owner of property who is governed by the Hindu law, shall be a valid acknowledgement or payment, as the case may be, as against reversioner succeeding to such liability; and

(b) where a liability has been incurred by, or on behalf of, a Hindu undivided family as such, an acknowledgement or payment made by, or by the duly authorised agent of, the manager of the family for the time being shall be deemed to have been made on behalf of the whole family.

22. Effect of substituting or adding new plaintiff or defendant.—

(1) Where, after the institution of a suit, a new plaintiff or defendant is substituted or added, the suit shall, as regards him, be deemed to have been instituted when he was so made a party.

(2) Nothing in sub-section (1) shall apply to a case where a party is added or substituted owing to an assignment or devolution of any interest during the pendency of a suit or where a plaintiff is made a defendant or a defendant is made a plaintiff.

23. Continuing breaches and wrongs.—In the case of a continuing breach of contract and in the case of a continuing wrong independent of contract, a fresh period of limitation begins to run at every moment of the time during which the breach or the wrong, as the case may be, continues.

24. Suit for compensation for act not actionable without special damage.—In the case of a suit for compensation for an act which does not give rise to a cause of action unless some specific injury actually results therefrom, the period of limitation shall be computed from the time when the injury results.

Illustration

A owns the surface of a field. B owns the sub-soil. B digs coal thereout without causing any immediate apparent injury to the surface ; but at last the surface subsides. The period of limitation in the case of a suit by A against B runs from the time of the subsidence.

25. Computation of time mentioned in instruments.—All instruments shall for the purpose of this Act be deemed to be made with reference to the 1 [Gregorian] calendar.

Illustration

(a) A Hindu makes a promissory note bearing a native date only, and payable four months after date. The period of limitation applicable to a suit on the note runs from the expiration of four months after date computed according to the 1 [Gregorian] calendar.

(a) A Hindu makes a bond, bearing a native date only, for the repayment of money within one year. The period of limitation applicable to a suit on the bond runs from the expiration of one year after date computed according to the 1 [Gregorian] calendar.

PART IV

Acquisition of Ownership by Possession

26. Omitted.

27. Omitted.

28. Extinguishment of right to property.—At the determination of the period hereby limited to any person for instituting a suit for possession of any property, his right to such property shall be extinguished.

1. Substituted by Act XXIV of 2011 for "Bikarmi" w.e.f. 1st April, 1965.

PART V

Savings and Repeals

29. Savings.—(1) Nothing in this Act shall affect section 25 of the Contract Act (IX of 1977)

(2) Where any special or local law prescribes for any suit, appeal or application a period of limitation different from the period prescribed therefor by the first Schedule, the provisions of section 3 shall apply, as if such period were prescribed therefor in that Schedule, and for the purpose of determining any period of limitation prescribed for any suit, appeal or application by any special or local law—

(a) the provisions contained in section 4, sections 9 to 18 and section 22 shall apply only in so far as, and to the extent to which, they are not expressly excluded by such special or local law ; and

(b) the remaining provisions of this Act shall not apply.

30. Provision for suits for which the period prescribed is shorter than that prescribed by the Limitation Regulation of 1977.—Notwithstanding anything herein contained, any suit for which the period of limitation prescribed by this Act is shorter than the period of limitation prescribed by the Limitation Regulation, 1977, may be instituted within the period of 1½ years this comes into force or within the period prescribed for such suit by the Limitation Regulation of 1977, whichever period expires first.

31. Saving of limitation as regards pending suits.—No suit, appeal or other proceeding pending in any Court at the date of the commencement of this Act shall be dismissed on the ground that it is barred by limitation, provided it was not so barred at the date of its institution under the Limitation Regulation of 1977.

32. Repeal.—The Limitation Regulation XXIV of 1977 is hereby repealed.

THE FIRST SCHEDULE*See Section 3***FIRST DIVISION SUITS**

Description of suit	Period of limitation.	Time from which period begins to run
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PART I.—Thirty days

- | | | |
|--|-------------|---|
| 1. To contest an award under the Waste Land Rules. | Thirty days | When notice of the award is delivered to the plaintiff. |
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PART II—Ninety days.

- | | | |
|--|-------------|---------------------------------------|
| 2. For compensation for doing or for omitting to do an act alleged to be in pursuance of any enactment in force for the time being in the State. | Ninety days | When the act or omission takes place. |
|--|-------------|---------------------------------------|

PART III.—Six months

- | | | |
|---|-------------|--------------------------------|
| 3. Under the Specific Relief Act, section 9, to recover possession of immovable property. | Six months. | When the dispossession occurs. |
| 4. Omitted. | | |

Description of suit.	Period of limitation.	Time from which period begins to run.
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PART IV—one year

5. Omitted.	One year.	When the penalty or forfeiture is incurred.
6. Upon any law or bye-law, for penalty or forfeiture.	One year.	When the wages accrue due.
7. For the wages of a household servant, artisan or labourer.	One year.	When the food or drink is delivered.
8. For the price of food or drink sold by the keeper of a hotel, tavern or lodging house.	One year.	When the price becomes payable.
9. For the price of lodging.	One year.	When the purchaser takes, under the sale sought to be impeached, physical possession of the whole of the property sold, or, where the subject of the sale does not admit of physical possession, when the registration of the instrument of sale is completed.
10. To enforce/a right of prior purchase whether based on law, usage or on special contract..	One year.	From the date of the order.
11. By a person, against whom the following order has been made to establish the right which he claims to the property comprised in the order :- Order under the Code of Civil Procedure, on a Claim.		

Description of suit.	Period of limitation	Time from which period begins to run.
<p>preferred to, or an objection made to the attachment of property attached in execution of a decree</p>	One year.	The date of the order.
<p>11-A. By a person against whom an order has been made under the Code of Civil Procedure, upon an application by the holder of a decree for the possession of immovable property or by the purchaser of such property sold in execution of a decree, complaining of resistance or obstruction to the delivery or possession thereof or upon an application by any person dispossessed of such property in the delivery of possession thereof to the decree-holder or purchaser, to establish the right which he claims to the present possession of the property comprised in the order.</p>	One year.	When the sale is confirmed, or would otherwise have become final and conclusive had no such suit been brought.
<p>12. To set aside any of the following sales :-</p> <p>(a) Sale in execution of a decree of a Civil Court,</p> <p>(b) sale in pursuance of a decree or order of a Collector or other officer of Revenue</p>		

Description of suit.	Period of limitation.	Time from which period begins to run.
c) sale for arrears of Government revenue, or for any demand recoverable as such arrears.		
13. To alter or set aside a decision or order of a Civil Court in any proceeding other than a suit.	One year.	The date of the final decision or order in the case by a Court competent to determine it finally.
14. To set aside any act or order of an officer of Government in his official capacity, not herein otherwise expressly provided for.	One year.	The date of the act or order.
15. Against Government to set aside any attachment, lease or transfer of immovable property by the revenue authorities for arrears of Government revenue.	One year.	when the attachment, lease or transfer is made.
16. Against Government to recover money paid under protest in satisfaction of a claim made by the revenue authorities on account of demands recoverable as such arrears.	One year.	When the payment is made.
17. Against Government for compensation for land acquired for public purposes.	One year.	The date of determining the amount of compensation.
18. Like suit for compensation when the	One year.	The date of the refusal to complete.

Description of suit.	Period of limitation	Time from which period begins to run.
acquisition is not completed.		
19. For compensation for false imprisonment.	One year.	When the imprisonment ends.
20. By executors, administrators or representatives under the Legal, representatives Suits Act.	One year.	The date of the death of the person wronged.
21. By executors, administrators or representatives under the Fatal Accidents Act.	One year.	The date of the death of the person killed.
22. For compensation for any other injury to the person.	One year.	When the injury is committed.
23. For compensation for a malicious Prosecution.	One year.	When the plaintiff is acquitted, or the prosecution is otherwise terminated
24. For compensation For libel.	One year.	When the libel is published.
25. For compensation for slander.	One year.	When the words are spoken, or, if the words are not actionable in themselves, when the special damage complained of results,
26. For compensation for loss of service occasioned by the seduction of the plaintiff's servant or daughter.	One year.	When the loss occurs.

Description of suit.	period of limitation	Time from which period begins to run.
27. For compensation for inducing a person to break a contract with the plaintiff.	one year.	The date of the breach.
28. For compensation for an illegal, irregular or excessive distress.	One year.	The date of the distress.
29. For compensation for wrongful seizure of movable property under legal process.	One year.	The date of seizure.
1[30	Deleted	
1[31	Deleted	
PART V.-- Two years.		
32. Against one who, having a right to use Property for specific purposes, perverts it to other purposes.	Two years.	When the perversion first becomes known to the person injured thereby.
33. Under the Legal Representatives, Suits Act, against an executor.	Two years.	When the wrong complained of is done.
34. Under the same Act against an administrator.	Two years.	Ditto.
35. Under the same Act against any other representative.	Two years.	Ditto.
36. For compensation for any malfeasance, misfeasance or non-	Two years.	When the malfeasance, misfeasance or non-feasance takes

1. Articles "30" and "31" deleted by Act XI of 1979 S.2

Description of suit.	Period of limitation.	Time from which period begins to run.
feasance independent of contract and not herein specially provided for.		Place.

PART VI.—Three years.

37. For compensation for obstructing a way or a watercourse.	Three years.	The date of the obstruction.
38. For compensation for diverting a watercourse.	Three years.	The date of the diversion.
39. For compensation for trespass upon immovable property.	Three years.	The date of the trespass.
40. For compensation for infringing copyright or any other exclusive privilege.	Three years.	The date of the infringement.
41. To restrain waste.	Three years.	When the waste begins.
42. For compensation for injury caused by an injunction wrongfully obtained.	Three years.	When the injunction ceases.
43. To compel a refund by a person to whom an executor or administrator has paid a legacy or distributed assets.	Three years.	The date of the payment or distribution.
44. By a ward who has attained majority, to set aside a transfer of property by his guardian.	Three years.	When the ward attains majority.
45. Omitted,		

Description of suit.	Period of limitation.	Time from which period begins to run.
46. Omitted.		
47. By any person bound by an order respecting the possession of immovable property made under the Code of Criminal Procedure, or by any one claiming under such person, to recover the property comprised in such order.	Three years.	The date of the final order in the case.
48. For specific movable property lost or acquired by theft or dishonest misappropriation or conversion, or for compensation for wrongfully taking or detaining the same.	Three years.	When the person having the right to the possession of the property first learns in whose possession it is.
48-A. To recover movable property conveyed or bequeathed in trust, deposited or pawned and afterwards bought from the trustee, depository or pawnee for a valuable consideration.	Three years.	When the sale becomes known to the plaintiff.
48-B. To set aside sale of movable property comprised in a Hindu, Mohammedan or Buddhist religious or Charitable endowment, made by a manager thereof for a valuable consideration.	Three years.	When the sale becomes known to the plaintiff.

Description of suit	Period of limitation.	Time from which period begins to run
49. For other specific movable property, or for compensation for wrongfully detaining the same.	Three years.	When the property is wrongfully taken or injured, or when the detainer's possession becomes unlawful.
50. For the hire of animals, vehicles, boats, or household furniture.	Three years.	When the hire becomes payable.
51. For the balance of money advanced in payment of goods to be delivered.	Three years.	When the goods ought to be delivered.
52. For the price of goods sold and delivered where no fixed period of credit is agreed upon.	Three years.	The date of the delivery of the goods.
53. For the price of goods sold and delivered to be paid for after the expiry of fixed period of credit.	Three years.	When the period of credit expires.
54. For the price of goods sold and delivered to be paid for by a bill of exchange, no such bill being given.	Three years.	When the period of the proposed bill elapses.
55. For the price of trees or growing crops sold by the plaintiff to the defendant where no fixed period of credit is agreed upon.	Three years.	The date of the sale.
56. For the price of work done by the plaintiff for the defendant at his request, where no time has been fixed for payment.	Three years.	When the work is done.

Description of suit.	Period of limitation.	Time from which period begins to run.
57. On a policy of insurance, when the sum assured is payable immediately after proof of the death or loss has been given to or received by the insurers.	Three years.	When proof of the death or loss is given to or received by the insurer, whether by or from the plaintiff, or any other person.
58. By the assured to recover Pr-mia paid under a policy voidable at the election of the insurers.	Three years.	When the insurers elect to avoid the policy.
59. Against a factor for an account.	Three years.	When the account is, during the continuance of the agency, demanded and refused or, where no such demand is made, when the agency terminates.
60. By a principal against his agent for movable property received by the latter and not accounted for.	Three years.	When the account is, during the continuance of the agency, demanded and refused or, where no such demand is made, when the agency terminates.
61. Other suits by principals against agents for neglect or misconduct.	Three years.	When the neglect or misconduct becomes known to the plaintiff.
62. To cancel or set aside an instrument not otherwise provided for.	Three years.	When the facts entitling the plaintiff to have the instrument cancelled or set aside become known to him.
63. To declare the forgery of an instrument	Three years.	When the issue or registration becomes,

Description of suit.	Period of limitation.	Time from which period begins to run.
issued of registered.		Known to the plaintiff.
64. To declare the forgery of an instrument attempted to be enforced against the plaintiff.	Three years.	The date of the attempt.
65. For property which the plaintiff has conveyed while insane	Three years.	When the plaintiff is restored to sanity, and has knowledge of the conveyance.
66. To set aside a decree obtained by fraud, or for other relief on the ground of fraud.	Three years.	When the fraud becomes known to the party wronged,
67. For relief on the ground of mistake.	Three years.	When the mistake becomes known to the plaintiff.
68. For money paid upon an existing consideration which afterwards fails.	Three years.	The date of the failure.
69. To make good out of the general estate of a deceased trustee the loss occasioned by a breach of trust.	Three years.	The date of the trustee's death, or, if the loss has not then resulted, the date of the loss.
70. For contribution by a party who has paid the whole or more than his share of the amount due under a joint decree, or by a sharer in a joint estate who has paid the whole or more than his share of the amount of revenue or rent due from himself and his cosharers,	Three years.	The date of the payment in excess of the plaintiff's own share.

Description of suit.	Period of limitation.	Time from which period begins to run.
71. By a co-trustee to enforce against the estate of deceased trustee a claim for contribution.	Three years.	When the right to contribution accrues.
72. For a boatman's wages.	Three years.	The end of the trip during which the wages are earned.
73. For wages not otherwise expressly provided for by this Schedule.	Three years.	When the wages accrue due.
74. By a Mohammedan for exigible dower. (mu ajjal).	Three years.	When the dower is demanded and refused or when marriage is dissolved by death or divorce.
75. By a Mohammedan for deferred dower (mu,ajjal).	Three years.	When the marriage is dissolved by death or divorce. In the case of divorce pronounced in wife's absence, when she becomes aware of the fact.
76. BY a mortgagor after the mortgage has been satisfied, to recover surplus collections received by the mortgagee.	Three years.	When the mortgagor re-enters on the mortgaged property.
77. For an account and a share of the profits of a dissolved partnership.	Three years.	The date of the dissolution.
78. By the manager of a joint estate of an undivided family for contribution in res-	Three years.	The date of the payment.

Description of suit.	Period of limitation.	Time from which period begins to run.
<p>pect of a payment made by him on account of the estate,</p>		
<p>79. By a lessor for the value of trees cut down by his lessee contrary to the terms of the lease.</p>	Three years.	When the trees are cut down.
<p>80. For the profits of immovable property belonging to the plaintiff which have been wrongfully received by the defendant.</p>	Three years.	When the profits are received.
<p>81. For arrears of rent, whether accrued by a registered deed or not.</p>	Three years.	When the arrears become due.
<p>82. By a vendor of immovable property for personal payment of unpaid purchase money.</p>	Three years.	The time fixed for completing the sale, or (where the title is accepted after the time fixed for completion) the date of the acceptance.
<p>83. For a call by a company registered under law.</p>	Three years.	When the call is payable.
<p>84. For specific performance of a contract.</p>	Three years.	The date fixed for the performance, or if no such date is fixed, when the plaintiff has notice that performance is refused,
<p>85. For the rescission of a contract.</p>	Three years.	When the facts entitling the plaintiff to have the contract rescinded first become known to him.

Description of suit.	Period of limitation.	Time from which period begins to run.
86. For compensation for the breach of any contract., express or implied, not in writing registered and not herein specially provided for.	Three years	When the contract is broken, or (where there are successive breaches) when the breach in respect of which the suit is instituted occurs, or (where the breach is continuing) when it ceases.
[86-A Against a carrier for compensation for losing or injuring goods.	Three years.	when the loss or injury occurs.
[86-B Against a carrier for compensation for non-delivery of, or delay in delivering goods.	Three years.	when the goods ought to be delivered
<i>PART VII.—Six years.</i>		
87. For money payable for money lent.	Six years.	When the loan is made.
88. Like suit when the lender has given a cheque for the money.	Six years.	When the cheque is paid.
89. For money lent under an agreement that it shall be payable on demand.	Six years.	When the loan is made.
90. For money deposited under an agreement that it shall be payable on demand, including money of a customer in the hands of his banker so payable.	Six years	When the demand is made.
91. For money payable by the plaintiff for money paid for defendant	Six years	When the money is paid.
92. For money payable by the defendant to the plaintiff for money received by the defendant for the plaintiff's use	Six years.	When the money is received

Description of suit.	Period of limitation.	Time from which period begins to run.
93. For money payable for interest upon money due from the defendant to the plaintiff.	Six years.	When the interest becomes due.
94. For money payable to the plaintiff for money found to be due from the defendant to the plaintiff on accounts stated between them.	Six years.	When the accounts are stated in writing signed by the defendant or his agent duly authorised in this behalf, unless when the debt is, by a simultaneous agreement in writing signed as aforesaid, made payable at a future time, and then when that time arrives.
95. For compensation for breach of a promise to do anything at a specified time, or upon the happening of a specified contingency.	Six years.	When the time specified arrives or the contingency happens,
96. On a single bond, where a day is specified for payment.	Six years.	The day so specified.
97. On a single bond, where no such day is specified.	Six years.	The date of executing the bond.
98. On a bond subject to a condition.	Six years.	When the condition is broken.
99. On a bill of exchange or promissory note payable at a fixed time after date.	Six years.	When the bill or note falls due.
100. On a bill of exchange payable at	Six years.	When the bill is presented.

Description of suit.	Period of limitation	Time from which period begins to run.
Sight, or after sight but not at a fixed time.		
101. On a bill of exchange accepted payable at a particular place.	Six years.	When the bill is presented at that place.
102. On a bill of exchange or promissory note payable at a fixed time after sight or after demand.	Six years.	When the fixed time expires.
103. On a bill of exchange or promissory note payable on demand and not accompanied by any writing restraining or postponing the right to sue	Six years.	The date of the bill or note.
104. on a promissory note or bond payable by instalments.	Six years.	The expiration of the first term of payment as to the part then payable; and for the other parts the expiration of the respective terms of payment.
105. On a promissory note or bond payable by instalments, which provides that if default be made in payment of one or more instalments, the whole shall be due.	Six years.	At the option of the plaintiff, on the default of any instalments or when the whole amount falls due.
106. On a promissory note given by the	Six years.	The date of the deli-

Description of suit.	Period of limitation.	Time from which period begins to run
maker to a third person to be delivered to the payee after a certain event should happen.	Six years.	very to the payee.
107. On a dishonoured foreign bill where protest has been made and notice given.	Six years.	when the notice is given.
108. By the payee against the drawer of a bill of exchange which has been dishonoured by non-acceptance.	Six years.	The date of the refusal to accept.
109. By the acceptor of an accommodation bill against the drawer.	Six years.	when the acceptor pays the amount.
110. Suit on a bill of exchange, promissory note or bond not herein expressly provided for.	Six years.	When the bill, note or bond becomes payable.
111. By a surety against the principal debtor.	Six years.	When the surety pays the creditor.
112. By a surety against a co-surety.	Six years.	When the surety pays anything in excess of his own share.
113. Upon any other contract to indemnify	Six years.	When the plaintiff is actually damaged.
114. By an attorney or vakil for his costs of a suit or a particular business.	Six years	The date of the termination of the suit or business, or (where the attorney

Description of suit.	period of limitation.	Time from which period begins to run.
there being no express agreement as to the time when such costs are to be paid.		or vakil properly discontinues the suit or business) the date of such discontinuance.
115. For the balance due on a mutual, open and current account, where there have been reciprocal demands between the parties.	Six years.	The close of the year in which the last item admitted or proved is entered in the account; such year to be computed as in the account.
116. Upon a foreign judgment as defined in the Code of Civil Procedure.	Six years.	The date of judgment.
117. To obtain a declaration that an alleged adoption is in valid or never in fact took place	Six years.	When the alleged adoption becomes known to the plaintiff.
118. To obtain a declaration that an adoption is valid,	Six years.	when the rights of the adopted son as such are interfered with.
119. Suit for which no period of limitation is provided elsewhere in this Schedule.	Six years.	When the right to sue accrues.
PART	VIII. —Twelve	years
120. For compensation for the breach of a contract in writing registered.	Twelve years.	When the period of limitation would begin to run against a suit brought on a similar contract not registered.
121. To avoid encumbrances or undertenures in an entire	Twelve years.	when the sale becomes final and conclusive.

Description of suit.	Period of limitation	Time from which period begins to run.
estate sold for arrears of Government revenue, or in other saleable tenure sold for arrears of rent.		
122. Upon a judgment obtained in the State or a recognition,	Twelve years.	The date of the judgment or recognition
123 For a legacy or for a share of a residue bequeathed by a testator, or for a distributive share of the property of an in. testate	Twelve years	When the legacy or share becomes payable or deliverable.
124. For possession of an hereditary office.	Twelve years.	<p>When the defendant takes possession of the office adversely to the plaintiff</p> <p>EXPLANATION.— An hereditary office is possessed when the profits thereof are usually received or (if there are no profits) when the duties thereof are usually performed.</p>
125. Suit during the life of a Hindu or Mohammedan female by a Hindu or Mohammedan who, if the female died at the date of instituting the suit would be entitled to the possession of land to have an alienation of such land	Twelve years.	The date of the alienation.

Description of suit.	period of limitation	Time from which period begins to run.
made by the female declared to be void except for her life or until her remarriage,		
126. By a Hindu governed by the law of the Mitakeshare to set aside his father's alienation of ancestral property.	Twelve years.	When the alienee takes possession of the property.
127. By a person excluded from joint family property to enforce a right to share therein.	Twelve years	When the exclusion becomes known to the plaintiff.
128. By a Hindu for arrears of maintenance.	Twelve years.	When the arrears are payable.
129. By a Hindu for a declaration of his right to maintenance;	Twelve years.	When the right is denied.
130. For the resumption or assessment of rent free land.	Twelve years.	When the right to resume or assess the land first accrues.
131. To establish periodically recurring right.	Twelve years.	When the plaintiff is first refused the enjoyment of the right,
132. To enforce payment of money charged upon immovable property including a suit for enforcement of a simple mortgage,	Twelve years.	When the money sued for becomes due.
EXPLANATION.—For the purposes of this article—		EXPLANATION.— When the money sued for becomes due on the breach of any of the terms of the contract or when the stipulated period expires, the limitation

Description of suit.	Period of limitation.	Time from which period begins to run.
<p>(a) the allowance and fees respectively called malkana and haqs and</p> <p>(b) the value of any agricultural or other produce the right to receive which is secured by a charge upon immovable property,</p> <p>shall be deemed to be money charged upon immovable property,</p>		will begin to run at the option of the plaintiff from either of the dates.
<p>133. Omitted.</p> <p>134. To recover possession of immovable property conveyed or bequeathed in trust or mortgaged and afterwards transferred by the trustee or mortgagee for a valuable consideration.</p>	Twelve years.	When the transfer becomes known to the plaintiff.
<p>134. A To set aside a transfer of immovable property comprised in a Hindu, Mohammedan or Buddhist religious or charitable endowment made by a manager thereof for a valuable consideration</p>	Twelve years.	When the transfer becomes known to the plaintiff.
<p>134-B By a manager of Hindu, Mohammedan or Buddhist religious or charitable endowment to recover possession</p>	Twelve years.	The death, resignation or removal of the transferor,

Description of suit.	Period of limitation.	Time from which period begins to run,
of immovable property comprised in the endowment which has been transferred by a previous manager for a valuable consideration		
134. C By the manager of a Hindu, Mohammedan or Buddhist religious or charitable endowment to recover possession of movable property comprised in the endowment which has been sold by a previous manager for a valuable consideration.	Twelve years.	The death, resignation or removal of the seller.
135. Suit instituted by a mortgagee for possession of immovable property mortgaged.	Twelve years.	When the mortgagor's right to possession determines.
136. By a purchaser at a private sale for possession of immovable property sold when the vendor was out of possession at the date of the sale,	Twelve years.	When the vendor is first entitled to possession.
137. Like suit by a purchaser at the sale in execution of a decree, when the judgment debtor was out of possession at the date of the sale.	Twelve years	When the judgment debtor is first entitled to possession.
138. Like suit by a purchaser at a sale/e in	Twelve years.	The date when the sale becomes absolute

Description of suit.	Period of limitation.	Time from Which period begins to run.
execution of a decree, when the judgment debtor was in possession at the date of the sale.		
139. By a landlord to recover possession from a tenant.	Twelve years.	When the tenancy is determined.
140. By a remainderman, a reversioner (other than a landlord) or a devisee, for possession of immovable property.	Twelve years.	When his estate falls into possession.
141. Like suit by a Hindu or Mohamedan entitled to the possession of immovable property on the death of a Hindu or Mohamedan female.	Twelve years.	when the female dies.
142. For possession of immovable property when the plaintiff, while in possession of the property, has been dispossessed or has discontinued the possession.	Twelve years.	The date of the dispossession or discontinuance.
143. Like suit, when the plaintiff has become entitled by reason of any forfeiture or breach of condition.	Twelve years.	When the forfeiture is incurred or the condition is broken.
144. For possession of immovable property or any interest therein not hereby otherwise specially provided for.	Twelve years.	When the possession of the defendant becomes adverse to the plaintiff.

Description of suit.	Period of limitation.	Time from which period begins to run.
PART IX—Thirty years.		
145. Against a depository or pawnee to recover movable property deposited or pawned.	Thirty years	The date of the deposit or pawn.
146. Omitted.		
146-A. By or on behalf of any local authority for possession of any public street or road or any part thereof from which it has been dispossessed or of which it has discontinued the possession.	Thirty years.	The date of the dispossession or discontinuance.
147. BY a mortgagee for foreclosure.	Thirty years.	When the money accrued by the mortgagee becomes due.
PART X—Sixty years		
148. Against a mortgagee to redeem or to recover possession of immovable property mortgaged.	Sixty years.	When the right to redeem or recover possession accrues.
149. Any suit by or on behalf of the State	Sixty years	When the period of limitation would begin to run under this Act against a like suit by a private person.
149-A. Any suit by or on behalf of the Government of India, the Government of any other State in India or	Thirty years.	When the period of limitation would begin to run under this Act against a like suit by a private person.

Description of suit.	Period of limitation.	Time from which period begins to run.
the Government of any Union territory		

SECOND DIVISION APPEALS.

Description of appeal,	Period of limitation.	Time from which Period begins to run.
150. Under the Code of Criminal Procedure from a sentence of death or of life imprisonment passed by a Court of Sessions.	Fourteen days.	The date of the sentence.
150-A. Omitted.		
151. Omitted		
151-A. Under the Code of Civil Procedure, to a Subordinate judge.	Sixty days.	The date of the decree or the order appealed from.
151-B. Under the Code of Criminal Procedure, to any Court other than the High Court and the Sessions Court.	Sixty days.	The date of the sentence or order appealed from.
152. Under the Code of Civil Procedure, to the Court of District judge.	Ninety days.	The date of the decree or order appealed from.
153. Omitted.		
154. Under the Code of Criminal Procedure to any Court other than the High Court.	Ninety days.	The date of the sentence or of order appealed from.

Description of appeal	Period of limitation.	Time from which period begins to run.
155. Under the Code of Criminal Procedure to High Court except in the case provided for by Article 150 and Article 157.	Ninety days.	The date of the sentence or order appealed from.
156. Under the Code of Civil Procedure to the High Court	Ninety days.	the date of the decree or order appealed from.
156-A. From a decree or order of the High Court of Judicature in the exercise of its original jurisdiction.	Ninety days.	The date of the decree or order appealed from.
<p>EXPLANATION :— When the High Court is sitting in one Province on the last day of the period of limitation for an appeal from a decision of a Court in another province or from a decision delivered by the High Court while sitting in another province, the period of limitation for an appeal shall be double the period mentioned in the 2nd column of this Schedule opposite Articles 156, 156. A.</p>		
157. Under the Code of Criminal Procedure from an order of acquittal,	[Three months]	The date of the order appealed from.
157-A. An appeal from a sentence, decree or order of any Court or Revenue officer	One hundred and eighty days.	The date of the sentence, decree or order appealed from.

1. Substituted by Act. XII of 1956 "for Six months"

Description of appeal	Period of limitation.	Time from which period begins to run.
situate within the District of Ladakh or Gilgit to a Court situate beyond the said Districts.		

THIRD DIVISION—APPLICATIONS

Description of application.	Period of limitation.	Time from which period begins to run.
158. Under the Jammu and Kashmir Arbitration Act, to set aside an award or to get an award remitted for reconsideration.	Thirty days.	The date of service of the notice of filing of the award]
159. For leave to appear and defend a suit under Order XXXVII of the Code of Civil Procedure.	Thirty days.	When the summons is served.
160. For an order under the same Code, to restore to the file an application for review rejected in consequence of the failure of the applicant to appear when the application was called on for hearing.	Thirty days.	When the application for review is rejected.

Description of applications	Period of limitation.	Time from which period begins to run.
161. For a review of judgment by a Court of Small Causes or by a Court invested with the jurisdiction of a Court of Small Causes when exercising that jurisdiction.	Thirty days.	The date of the decree or order.
162. For a review of judgment by the High Court of Judicature in the exercise of its original jurisdiction.	Thirty days.	The date of the decree or order.
163. By a plaintiff, for an order to set aside a dismissal for default of appearance or for failure to pay costs of service of process or to furnish security for costs.	Thirty days.	The date of the dismissal.
164. By a defendant, for an order to set aside a decree passed ex-parte	Thirty days.	The date of decree or, where the summons was not duly served, when applicant has knowledge of the decree.
165. Under the Code of Civil Procedure, by a person dispossessed of immovable property and disputing the right of the decree-holder or purchaser at a sale in execution of a decree to be put into possession.	Thirty days.	The date of the dis-possession.

Description of application.	period of limitation,	Time from which period begins to run.
166. Under the same Code to set aside a sale in execution of a decree including any such application by a Judgment-debtor.	Thirty days.	The date of the sale.
167. Complaining of resistance or obstruction to delivery of possession of immovable property decreed or sold in execution of a decree.	Thirty days.	The date of the resistance or obstruction.
168. For the readmission of an appeal dismissed for want of prosecution,	Thirty days.	The date of dismissal,
169. The re-hearing of an appeal heard ex-parte.	Thirty days.	The date of the decree in appeal, or, where notice of the appeal was not duly served, when applicant has knowledge of the decree.
170. For leave to appeal as a pauper.	Sixty days.	The date of the decree appealed from.
171. Under the Code of Civil Procedure, for an order to set aside an abatement.	Sixty days.	The date of the abatement.
172. Under the same Code by the assignee or the receiver of an insolvent plaintiff or appellant for an order to set aside the dismissal of a suit or an appeal.	Sixty days.	The date of the decree of dismissal.

Description of application	period of limitation.	Time from which period begins to run.
173. For a review of Judgment except in the cases provided for by ¹ [Articles 161 and 162]	Ninety days.	The date of the decree or order.
174. For the issue of a notice under the same Code, to show cause why any payment made out of Court of any money payable under a decree or any adjustment of the decree should not be recorded as certified.	Ninety days.	When the payment or adjustment is made.
175. For payment of the amount of a decree instalments.	Six months.	The date of the decree.
176. Under the same Code to have the legal representative of a deceased plaintiff or of a deceased appellant made a party.	Six months.	The date of the death of the deceased plaintiff or appellant.
177. Under the same Code to have the legal representative of a deceased defendant or of a deceased respondent made a party.	Six months.	The date of the death of the deceased defendant or respondent.
*178. Under the Jammu and Kashmir Arbitration Act, for the filing in Court of an award.	Ninety days.	The date of service of the making of an award.)

1. Substituted by Act, XVI of 2000 for "Articles, 161, 162 and 173-A"
2. Article 178 Substituted by Act, II of 2002

Description of application.	Period of limitation	Time from which period begins to run.
1[179. By a person desiring to appeal under the Code of Civil Procedure, 1977, to the Supreme Court for leave to appeal.	Ninety days.	The date of the decree appealed from.
180. By a purchaser of immovable property at a sale in execution of a decree for delivery of possession.	Three years.	When the sale becomes absolute.
181. Applications for which no period of limitation is provided elsewhere in this Schedule or by section 48 of the Code of Civil Procedure.	Three years.	When the right to apply accrues,
181-A. An application of the nature mentioned in Articles 158, 160, 168, 169, 170, 171, 172, 173, 176, and 177 in appeals arising out of suits decided by any Court situate within the District of Ladakh or Gilgit, when made to a Court of appeal situate outside those Districts.	Double the period of limitation prescribed under this Division.	As prescribed in 3rd column opposite the Articles referred to.
182. For the execution of a decree or order of any Civil Court not provided for	Three years. or, where a certified copy of the decree	1. The date of the decree or order, or, 2. (where there has been

Description of application	Period of limitation,	Time from which period begins to run.
1[by Article 183 or] by section 48 of the Code of Civil Procedure,	or order has been registered, six years.	<p>an appeal) the date of the final decree or order of the Appellate Court, or the withdrawal of the appeal. or</p> <p>3. (where there has been a review of judgment) the date of the decision passed on the review, or</p> <p>4. (where the decree has been amended) the date of amendment, or</p> <p>5. (where the application next hereinafter mentioned has been made) the date of the final order passed on application made in accordance with law to the proper Court for execution or to take some step in aid of the execution of the decree or order, or</p> <p>6 (in respect of any amount, recovered by execution of the decree or order, which the decree-holder has been directed to refund by a decree passed in a suit for such refund) the date of such last mentioned decree or, in the case of an appeal therefrom, the date of the final decree of the Appellate Court or of the withdrawal of the appeal, or</p> <p>7. (where the application is to enforce any payment which the decree</p>

Description of application.	Period of limitation.	Time from which period begins to run.
		<p>or order directs to be made at a certain date) such date.</p> <p>EXPLANATION I— Where the decree or order has been passed severally in favour of more persons than one, distinguishing portions of the subject matter as payable or deliverable to each, the application mentioned in clause 5 of this Article shall take effect in favour only of such of the said persons or their representatives as it may be made by. But where the decree or order has been passed jointly in favour of more persons than one, such application, if made by any one or more of them, or by his or their representatives, shall take effect in favour of them all.</p> <p>Where the decree or order has been passed severally against more persons than one, distinguishing portions of the subject matter as payable or deliverable by each, the application shall take effect against only such of the said persons or their representatives as it may be made against. But, where the decree or order has been passed jointly against more persons than one, the application, if made against any one or</p>

Description of application.	period of limitation.	Time from which period begins to run.
<p>²[183. To enforce a judgment, decree or order of the Supreme Court.</p>	<p>Twelve years.</p>	<p>more of them or against his or their representatives, shall take effect against them all.</p> <p>EXPLANATION II.—“Prope Court” means the Court whose duty it is to execute the decree or order.</p> <p>[EXCEPTION.—In applications for execution of a decree against an evacuee, whether passed singly against him or jointly with a person other than an evacuee, the period from 6th Poh, 2005 to 21st Bhadun 2006 and the time during which the Jammu and Kashmir Evacuee’s (Administration of Property) Act, Svt. 2006 remains in force shall be excluded from the period of twelve years prescribed in this section.]</p> <p>When a present right to enforce the judgment decree or order accrues to some person capable of releasing the right :</p> <p>Provided that, when the judgment, decree or order has been revived, or some part of the principal money secured thereby, or some interest on such money has been paid, or some acknowledgement of the right thereto has been given in writing signed by the</p>

1. Exception added by Act xxvii of 1961.
 2. Article 183 added Act xxv of 2011

Description of application	Period of limitation.	Time from which period begins to run.
		Person liable to pay such principal or interest or his agent, to the person entitled thereto or his agent, the twelve years shall be computed from the date of such revivor, payment or acknowledgement or the latest of such revivors, payments or acknowledgements, as the case may be.