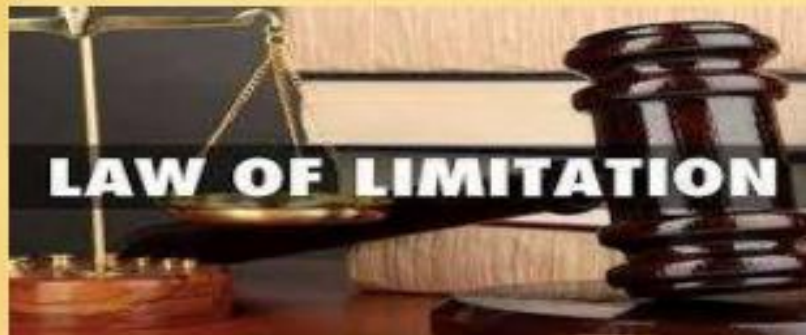




Vidyavardhaka Sangha®
VIDYAVARDHAKA LAW COLLEGE

Sheshadri Iyer Road, Mysuru-01

IQAC
Organizing
Special Lecture
On



Guest Speaker
Sri Srinath H.M
Senior Advocate
Mysuru

Presided by
Dr. Deepu P
Principal,
VVLC

Hon'ble Presence
Prof. K.B. Vasudeva
Director of Legal Studies,
VVLC

Date:11/03/2024

Time: 12:00pm

Venue: Lecture Hall No -09

ALL ARE CORDIALLY INVITED



VIDYAVARDHAKA LAW COLLEGE

SHESHADRI IYER ROAD- MYSURU-01

SPECIAL LECTURE REPORT ON LAW OF LIMITATION

On 11th March 2024 at 12:00pm special lecture on Law of limitation was organized for the final year students. Sri Srinath H M was the resource person. The resource person pointed out that the main object to limit any legal action is to give effect to the maxim '*interest reipublicae ut sit finis litium*', which means that in the interest of the State is required that there should be a limit to litigation and also to prevent any kind of disturbance or deprivation of what may have been acquired in equity and justice or by way of long enjoyment or what may have been lost by a party's own inaction, negligence or leaches (acquiescence). The intention in accepting the concept of limitation is that "controversies are restricted to a fixed period of time, lest they should become immortal while men are mortal." This statutory restriction after a certain period gives a status to enforce an existing right. Simply, it neither creates any right in favour of any person nor does it define or create any cause of action against the particular person, but it prescribes about the remedy. This remedy can be exercised only up to a certain period and not subsequently. The main object of the statute of the Limitation Act, 1963 is more over of a preventive kind and not to impose a statutory bar after a certain period and it gives a quietus to all the suit matters to enforce an existing right. The major purpose of the statute of the Limitation Act, 1963 is not to destroy or infringe the rights of an aggrieved person but to serve public in a better way and to save time. This statute is basically based on public policy for fixing a life span for the legal remedy which may be taken and to seek remedy in time with the purpose of general welfare. The object of providing a legal remedy is to repair the damage which is caused by reason of legal injury.

The source person stated that, the Limitation Act is applicable to the suits brought by the plaintiff; they do not apply to a right setup by the defendant in defence. A defendant will not be precluded from setting up a right by way in defence, even if he could not have done so as plaintiff by way of substantive claim. But the principle that limitation ordinarily does not bar the defence is not applicable in the case of set off and counter claim. Any claim by way of set off or a counter claim shall be treated as a separate suit and shall be deemed to have been instituted in the case of set off, on the same day that as the suit in which the set off is claimed and in the case of counter-claim on date on which the counter claim is made in court. The law

relating to Law of Limitation in India is the Limitation Act, 1859 and subsequently Limitation Act, 1963 which was enacted on 5th of October, 1963 and which came into force from 1st of January, 1964 for the purpose of consolidating and amending the legal principles relating to limitation of suits and other legal proceedings.

