

LIMITATION ACT, 1963 - PROFESSIONAL CORPUS - BATCH 06

First Division, Part VII - Torts

Short one- and two-year periods coexist with three-year tort articles; classify the civil wrong before computing.

Authors: CA Nikhil Gupta and Kajri Singh

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Unit 13 of 43

India-first

Statutory source control. The local text below is a professional transcription and article map aligned to the current India Code architecture and listed amendments. The signed Gazette/current official source controls punctuation, footnotes, State variations and event-date application.

Dedicated Finin2min Summary - Chapter in 2 Minutes

- Short one- and two-year periods coexist with three-year tort articles; classify the civil wrong before computing.
- The first column classifies the proceeding, the second sets the period and the third fixes the starting point.
- Sections 4-24 can alter computation only when legally available.
- A special/local statute may replace the Schedule period or exclude general provisions.

Current statutory text / controlled source extract

Article 72 - Act or omission alleged under an enactment

Period: 1 year

Starts: Act or omission

Article 73 - False imprisonment

Period: 1 year

Starts: Imprisonment ends

Article 74 - Malicious prosecution

Period: 1 year

Starts: Acquittal or termination

Article 75 - Libel

Period: 1 year

Starts: Publication

Article 76 - Slander

Period: 1 year

Starts: Words spoken or special damage

Article 77 - Loss of service from seduction of servant or daughter

Period: 1 year

Starts: Loss occurs

Article 78 - Inducing breach of contract

Period: 1 year

Starts: Date of breach

Article 79 - Illegal, irregular or excessive distress

Period: 1 year

Starts: Date of distress

Article 80 - Wrongful seizure of movable property under legal process

Period: 1 year

Starts: Date of seizure

Article 81 - Representative suit under Legal Representatives Suits Act

Period: 1 year

Starts: Death of person wronged

Article 82 - Fatal Accidents Act representative suit

Period: 2 years

Starts: Date of death

Article 83 - Legal Representatives Suits Act claim against representative

Period: 2 years

Starts: Wrong complained of

Article 84 - Perverting property from authorised purpose

Period: 2 years

Starts: Perversion becomes known

Article 85 - Obstructing way or watercourse

Period: 3 years

Starts: Date of obstruction

Article 86 - Diverting watercourse

Period: 3 years

Starts: Date of diversion

Article 87 - Trespass on immovable property

Period: 3 years

Starts: Date of trespass

Article 88 - Copyright or exclusive privilege infringement

Period: 3 years

Starts: Date of infringement

Article 89 - Restrain waste

Period: 3 years

Starts: When waste begins

Article 90 - Injury from wrongfully obtained injunction

Period: 3 years

Starts: When injunction ceases

Article 91 - Wrongfully taking, injuring or detaining movable property

Period: 3 years

Starts: Knowledge of possessor or wrongful taking/injury/unlawful detention, by clause

Section-by-section / article-by-article provision map

Provision	Subject	Status / period	Finin2min clause-by-clause decode	Implementation	Evidence/ control
Article 72	Act or omission alleged under an enactment	1 year	Act or omission	Article 72: match the exact claim description, period and third-column trigger; near-similar commercial facts can fall under different articles.	Preserve the instrument, event date and article-selection memorandum.
Article 73	False imprisonment	1 year	Imprisonment ends	Article 73: match the exact claim description, period and third-column trigger; near-similar commercial facts can fall under different articles.	Preserve the instrument, event date and article-selection memorandum.
Article 74	Malicious prosecution	1 year	Acquittal or termination	Article 74: match the exact claim description, period and third-column trigger; near-similar commercial facts can fall under different articles.	Preserve the instrument, event date and article-selection memorandum.
Article 75	Libel	1 year	Publication	Article 75: match the exact claim description, period and third-column trigger;	Preserve the instrument, event date and article-

Provision	Subject	Status / period	Finin2min clause-by-clause decode	Implementation	Evidence/ control
				near-similar commercial facts can fall under different articles.	selection memorandum.
Article 76	Slander	1 year	Words spoken or special damage	Article 76: match the exact claim description, period and third-column trigger; near-similar commercial facts can fall under different articles.	Preserve the instrument, event date and article-selection memorandum.
Article 77	Loss of service from seduction of servant or daughter	1 year	Loss occurs	Article 77: match the exact claim description, period and third-column trigger; near-similar commercial facts can fall under different articles.	Preserve the instrument, event date and article-selection memorandum.
Article 78	Inducing breach of contract	1 year	Date of breach	Article 78: match the exact claim description, period and third-column trigger; near-similar commercial facts can fall under different articles.	Preserve the instrument, event date and article-selection memorandum.
Article 79	Illegal, irregular or excessive distress	1 year	Date of distress	Article 79: match the exact claim description, period and third-column trigger; near-similar commercial facts can fall under different articles.	Preserve the instrument, event date and article-selection memorandum.
Article 80	Wrongful seizure of movable	1 year	Date of seizure	Article 80: match the exact claim description, period and	Preserve the instrument, event date and article-

Provision	Subject	Status / period	Finin2min clause-by-clause decode	Implementation	Evidence/ control
	property under legal process			third-column trigger; near-similar commercial facts can fall under different articles.	selection memorandum.
Article 81	Representative suit under Legal Representatives Suits Act	1 year	Death of person wronged	Article 81: match the exact claim description, period and third-column trigger; near-similar commercial facts can fall under different articles.	Preserve the instrument, event date and article-selection memorandum.
Article 82	Fatal Accidents Act representative suit	2 years	Date of death	Article 82: match the exact claim description, period and third-column trigger; near-similar commercial facts can fall under different articles.	Preserve the instrument, event date and article-selection memorandum.
Article 83	Legal Representatives Suits Act claim against representative	2 years	Wrong complained of	Article 83: match the exact claim description, period and third-column trigger; near-similar commercial facts can fall under different articles.	Preserve the instrument, event date and article-selection memorandum.
Article 84	Perverting property from authorised purpose	2 years	Perversion becomes known	Article 84: match the exact claim description, period and third-column trigger; near-similar commercial facts can fall under different articles.	Preserve the instrument, event date and article-selection memorandum.
Article 85	Obstructing way or watercourse	3 years	Date of obstruction	Article 85: match the exact claim	Preserve the instrument, event

Provision	Subject	Status / period	Finin2min clause-by-clause decode	Implementation	Evidence/ control
				description, period and third-column trigger; near-similar commercial facts can fall under different articles.	date and article-selection memorandum.
Article 86	Diverting watercourse	3 years	Date of diversion	Article 86: match the exact claim description, period and third-column trigger; near-similar commercial facts can fall under different articles.	Preserve the instrument, event date and article-selection memorandum.
Article 87	Trespass on immovable property	3 years	Date of trespass	Article 87: match the exact claim description, period and third-column trigger; near-similar commercial facts can fall under different articles.	Preserve the instrument, event date and article-selection memorandum.
Article 88	Copyright or exclusive privilege infringement	3 years	Date of infringement	Article 88: match the exact claim description, period and third-column trigger; near-similar commercial facts can fall under different articles.	Preserve the instrument, event date and article-selection memorandum.
Article 89	Restrain waste	3 years	When waste begins	Article 89: match the exact claim description, period and third-column trigger; near-similar commercial facts can fall under different articles.	Preserve the instrument, event date and article-selection memorandum.
Article 90		3 years			

Provision	Subject	Status / period	Finin2min clause-by-clause decode	Implementation	Evidence/ control
	Injury from wrongfully obtained injunction		When injunction ceases	Article 90: match the exact claim description, period and third-column trigger; near-similar commercial facts can fall under different articles.	Preserve the instrument, event date and article-selection memorandum.
Article 91	Wrongfully taking, injuring or detaining movable property	3 years	Knowledge of possessor or wrongful taking/ injury/unlawful detention, by clause	Article 91: match the exact claim description, period and third-column trigger; near-similar commercial facts can fall under different articles.	Preserve the instrument, event date and article-selection memorandum.

Finin2min implementation explanation

Classification

Determine whether the matter is a suit, appeal, application, execution, arbitration claim or special-statute proceeding. Record relief, forum and event date.

Computation

Select the exact article or special-law period. Record the third-column trigger, first-day exclusion, calendar period and each legally available adjustment.

Control owner

Legal owns statutory classification; business/ finance owns transaction dates; secretarial/HR/ property teams supply authority and evidence; counsel confirms forum filing.

Change control

Recalculate after any amendment, acknowledgment, payment, order, stay, certified-copy event or forum change. Preserve the superseded computation.

Practical examples and calculations

Chapter-specific scenario.

Two claims arise from the same transaction but seek different reliefs. The team selects separate Schedule articles and trigger dates rather than using one generic invoice date.

Calculation step	Method	Evidence
Base trigger	Record the exact statutory third-column or special-law event date.	Contract/order/notice/service/knowledge evidence
First day	Exclude the day from which the period is reckoned under section 12(1).	Calendar worksheet
Period	Add the prescribed days, months or years using the Gregorian calendar.	Date calculation and assumptions
Adjustments	Apply only proven exclusions, disability, fraud, acknowledgment/payment or court-closure rules.	Orders, copy records, signed documents, bank proof
Final cut-off	State last filing day, forum hours/e-filing rule and any condonation range.	Court calendar, portal receipt and legal sign-off

Practical transaction application

1. Open the chronology when the first default, refusal, knowledge event, dispossession, order or enforceability event occurs.
2. Classify every proposed relief separately and select the governing special statute and Schedule article.
3. Record authority, service, contractual cure periods, statutory notice, copy time, stay and prior proceedings.
4. Test acknowledgment, part-payment, fraud, disability and continuing-wrong claims against their exact statutory conditions.
5. Approve the last filing date, fallback forum, condonation position and evidence pack before action.

Authority, consent and execution controls

- Confirm claimant/applicant legal capacity and representative authority.
- Obtain board, partner, trustee, government or power-of-attorney approvals.
- Authorise acknowledgments, settlements and admissions carefully because they affect limitation.
- Check counsel authority and affidavit/verification requirements.

Stamp duty and registration alerts

- Limitation does not cure an unstamped or unregistered instrument.
- Assess State stamp duty and registration separately for the underlying contract, deed, mortgage, lease, release or settlement.
- Preserve original instrument and adjudication/impounding record.
- Do not assume an electronic record avoids stamp or registration law.

Evidence and document-retention checklist

- Executed instrument and amendments.
- Trigger-date correspondence and service proof.
- Invoices, delivery, acceptance, account and bank records.
- Court/tribunal orders and certified-copy records.
- Acknowledgment and authority evidence.
- Chronology and independent calculation.
- Special-law text and amendment snapshot.
- Filing receipt, diary number and portal timestamp.

Performance, delivery and payment controls

- Map each obligation, milestone, due date and cure period.
- Separate invoice date, payment due date, acceptance, breach and termination.
- Track recurring instalments and successive breaches individually.
- Record mitigation and substitute performance without assuming a new limitation period.

Breach, loss, mitigation and remedy framework

- Identify suit, appeal, application, arbitration, execution or public-law remedy.
- Quantify principal, interest, damages, restitution and costs separately.
- Do not allow negotiations or a legal notice to revive a barred right unless statute permits.
- Evaluate settlement, acknowledgment and standstill language for unintended consequences.

Limitation and forum controls

- Confirm territorial, pecuniary and subject-matter jurisdiction.
- Apply special-law period and express exclusion before the general Schedule.
- Record appeal/review/revision and condonation limits separately.
- For arbitration, separate claim limitation from court-application limitation.

Arbitration and mediation interface

Arbitration does not create a new substantive limitation period for a barred claim. Separately compute the underlying claim, arbitration commencement, section 11 application, interim relief, award challenge and enforcement. For mediation and PIMS, identify the statutory exclusion period and preserve application, service, closure and settlement records.

Company, partnership, GST and tax overlays

- Companies Act and LLP authority/records.
- Partnership agency and joint liability.
- GST invoice, credit-note and tax evidence.
- Income-tax write-off, recovery and settlement treatment.
- IBC default and acknowledgment interface.
- Arbitration, Commercial Courts, MSME, consumer and RERA special periods.

Finin2min Q&A

How is the correct article selected?

Classify the actual relief and legal relationship, then rule out specific articles before using a residuary article.

Does a demand notice always start limitation?

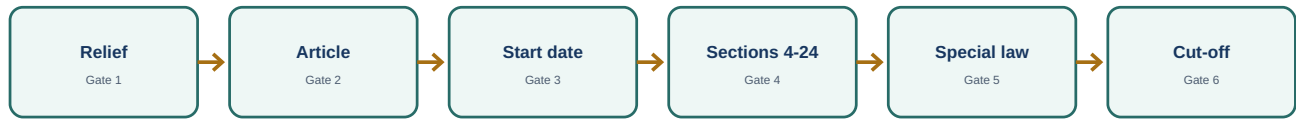
No. Some articles run from loan, delivery, breach, refusal, knowledge or enforceability irrespective of a later demand.

Can section 5 extend a suit article?

No general section 5 condonation applies to suits.

Chapter-specific decision flowchart

First Division, Part VII - Torts - Decision Flow



Record the governing source, dates, assumptions, evidence and sign-off at every gate.