

Part-79-One Pager Snapshot to the Cases on Phrases of “Time Limit for carrying out an action”

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S.N.	Case Subject	Case	Held
1.	Calculation of time limit “within a specified period”	Haru Das Gupta vs State Of West Bengal-(SC) 1972 AIR 1293, 1972 SCR (3) 329	The day on which the cause of action arose, is to be excluded from computation and the day on which such action is taken is to be included. Therefore, in computing the period of three months from the date of detention, which was February 5, 1971, before the expiration of which the order or decision for confirming the detention order and continuation of the detention thereunder had to be made, the date of the commencement of detention, namely, February 5, 1971, has to be excluded. So done, the order of confirmation was made before the expiration of the period of three months from the date of detention.
2.	Calculation of the Time limit having words “not less than”	Commissioner Of Income-Tax vs Ekbal And Co. (Bom) (1945) 47 BOMLR 181 (Bom HC)	The expression "within thirty days" and "not less than thirty days" are two quite different things. "Within thirty days" is within two points of time, one at which the period begins and the other at which it expires. On the other hand, "not less than thirty days" is outside these two points of time. There must be an interval of not less than thirty days and that means thirty days clear.
3.	Calculation of Time limit using “not earlier than”	Jai Charan Lal vs State Of U.P. & Ors (SC) 1968 AIR, 5	The expression "not earlier than thirty days" is not to be equated to the expression, not less than thirty days". It is no doubt true that where the expression is "not less than so many days" both the terminal days have to be excluded and the number of days mentioned must be clear days but the force of the words "not earlier than thirty days" is not the same. " In other words, although October 26 had to be excluded the date on which the meeting was to be called need not be excluded provided by doing so one did not go in breach of the expression "not earlier than thirty days." The 25th of November was the 30th day counting from October 26 leaving out the initial day and therefore it cannot be described as earlier than thirty days.
4.	Meaning of the words “For the time being”-	Union Territory Of Chandigarh And ... vs Rajesh Kumar Basandhi And Anr (SC)	The meaning of the phrase understood in general sense is that such an expression is indefinite in time and refers to state of facts which may arise and exist at the time rule is applied which may vary at different times. The same meaning as generally understood also had the approval in (1992) 3 Supreme Court Cases 576 -Jivendra Nath Kaul v. Collector/District Magistrate and Anr wherein it was held that "For the time being" means at the moment or existing position.
5.	Meaning of “at any time”	Ibrahimpatnam Taluk Vyavasaya ... vs K.Suresh Reddy & Ors (SC)	The exercise of suo-motu power "at any time" only means that no specific period such as days, months or years are not prescribed reckoning from a particular date. But that does not mean that "at any time" should be unguided and arbitrary. In this view, "at any time" must be understood as within a reasonable time depending on the facts and circumstances of each case in the absence of prescribed period of limitation.
6.	Meaning of the Words “Reasonable Time”	Veerayee Ammal v. Seeni Ammal, [2002] 1 SCC 134	The expression means a reasonable time, looking at all the circumstances of the case; a reasonable time under ordinary circumstances; as soon as circumstances will permit; so much time as is necessary under the circumstances, conveniently to do what the contract requires should be done; some more protracted space than "directly" such length of time as may fairly, and properly, and reasonably be allowed or required, having regard to the nature of the act or duty and to attending circumstances; all convey more or less same idea.
7.	Meaning of phrase “as soon as”	Abdul Jabar Butt vs State Of Jammu & Kashmir-(SC) 1957 AIR 281	The question is- what is the span of time, which is designated by the words " as soon as may be"? The observations of Dysant, J., in King's Old Country, Ltd. v. Liquid Carbonic Can. Corpn., Ltd. (1), quoted in Stroud's Judicial Dictionary, 3rd edition, vol. 1 page 200, are apposite. Said the learned Judge, " to do a thing I as soon as possible means to do it within a reasonable time, with an understanding to do it within the shortest possible time." Likewise to communicate the grounds 'as soon as may be' may well be said to mean to do so within a reasonable time with an understanding to do it within the shortest possible time
8.	Meaning of the Word “Forthwith	Keshav Nilkanth Joglekar vs The Commissioner Of Police,; AIR 1957 SC 28	The Term "forthwith" in section 3(3), cannot mean the same thing as "as soon as may be" in section 7, and that the former is more peremptory than the latter. The difference between the two expression lies, in our opinion, in this that while under section 7 the time that is allowed to the authority to send the communication to the detenu is what is reasonably convenient, under section 3(3) what is allowed is only the period during which he could not, without any fault of his own, send the report. Under section 7 the question is whether the time taken for communicating the grounds is reasonably requisite. Under section 3(3) it is whether the report has been sent at the earliest point of time possible, and when there is an interval of time between the date of the order and the date of the report, what has to be considered is whether the delay in sending the report could have been avoided.