BLOGS

Questions on Limitation Act for CLAT PG 2026

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1. The Limitation Act, 1963 does NOT apply to:

A) Civil suits

B) Arbitration proceedings

C) Criminal prosecutions

D) Applications under the Code of Civil Procedure

Correct Answer: C) Criminal prosecutions

Explanation: The Limitation Act, 1963 primarily governs civil proceedings, including suits, appeals, and certain applications. Criminal prosecutions are governed by the Criminal Procedure Code (CrPC) and not the Limitation Act.

2. Under the Limitation Act, "time barred" means:

A) Case is to be stayed temporarily

B) Claim is unenforceable due to expiry of limitation period

C) Court has to grant compensation

D) Court must issue notice to the other party

Correct Answer: B) Claim is unenforceable due to expiry of limitation period

Explanation: A "time-barred" claim means that the period prescribed by law for filing the claim has expired, and unless condoned, the court will dismiss the claim even if it has merit.

3. The Limitation Act, 1963 came into force on:

A) 1 January 1961

B) 5 September 1963

C) 1 January 1964

D) 26 January 1963

Correct Answer: C) 1 January 1964

Explanation: The Limitation Act, 1963 was enacted to consolidate and amend the law relating to limitation of suits and other proceedings. It came into force on 1 January 1964.

4. In computing the limitation period, the day from which the period is to be reckoned is:

A) Included
B) Excluded
C) Considered only if it's a working day
D) Doubled for leap years

Correct Answer: B) Excluded

Explanation: Section 12(1) of the Limitation Act states that the day from which the period is to be reckoned shall be excluded while calculating the limitation period.

5. Which of the following does NOT extend the period of limitation under the Limitation Act?

A) Acknowledgment of liability in writing
B) Filing a suit in a court that lacks jurisdiction
C) Continuous breach of contract
D) Mere oral statement denying liability

Correct Answer: D) Mere oral statement denying liability

Explanation: Only written acknowledgments signed by the party, as per Section 18, extend limitation. Mere oral statements or denials do not restart the limitation period.

6. A suit filed in a wrong court and later withdrawn and refiled in the correct court. Which section allows exclusion of time spent in the wrong court?

A) Section 4
B) Section 9
C) Section 14
D) Section 27

Correct Answer: C) Section 14

Explanation: Section 14 allows exclusion of time spent prosecuting a case in a court without jurisdiction, provided it was done in good faith and with due diligence.

7. The limitation period to file a suit for specific performance of a contract is:

A) 1 year

B) 3 years

C) 6 years

D) 12 years

Correct Answer: B) 3 years

Explanation: According to Article 54 of the Schedule, a suit for specific performance of a contract must be filed within three years from the date the performance is refused.

8. What is the limitation for filing a suit for compensation for malicious prosecution?

A) 1 year

B) 2 years

C) 3 years

D) 6 months

Correct Answer: A) 1 year

Explanation: As per Article 74 of the Schedule to the Limitation Act, the limitation for filing such a suit is one year from the date when the plaintiff is acquitted or the prosecution is otherwise terminated.

9. Under the Limitation Act, the period of limitation for a continuing breach:

A) Runs from the date of breach

B) Begins only once

C) Renews each day the breach continues

D) Does not apply

Correct Answer: C) Renews each day the breach continues

Explanation: Section 22 provides that in case of a continuing breach, a fresh period of limitation begins to run at every moment during which the breach continues.

10. What is the effect of limitation on the substantive right?

A) It extinguishes the right in all cases

B) It only bars the remedy in general

C) It makes the contract illegal

D) It allows compensation without litigation

Correct Answer: B) It only bars the remedy in general

Explanation: The Limitation Act typically bars the remedy and not the right itself, except in certain cases like suits for possession under adverse possession (Section 27), where the right also gets extinguished.