



Interpretation of Condonation of Delay under Limitation act in the light of sexual harassment complaints

Limitation law was never really written with cases like workplace harassment in mind. Most of its logic comes from commercial and property disputes — situations where both sides are more or less equally placed, evidence is documentary, and the only real question is whether someone was careless in filing on time. Sexual harassment complaints don't fit that mould at all, and yet they are still measured against the same basic idea: sufficient cause for delay. This mismatch is what makes the interpretation of condonation of delay in these cases genuinely difficult, and it's worth working through carefully rather than assuming the answer is obvious either way.

What the Limitation Act Actually Says

The Limitation Act, 1963 is a simple idea dressed up in legal language: if you have a right to claim something, you must approach a court within a fixed time, or you lose the ability to ask a court to enforce that right. Section 5 of the Act allows some flexibility - if someone misses that deadline, a court can still hear them, but only if they show "sufficient cause" for the delay.

Take a simple example. Suppose A lends B one lakh rupees with no fixed date for repayment. Under the Limitation Act, A has three years from the date the money becomes due to file a suit for recovery. If A waits five years and then sues, the court will usually dismiss the case - not because the debt didn't exist, but because A sat on the right for too long, and the law draws a line so that old disputes don't drag on forever.

Why does the law work this way? Because a limitation period protects both sides, not just the person being sued. Evidence weakens with time - witnesses forget details, documents get misplaced, memories blur. And the person who may be accused shouldn't have to live indefinitely under the shadow of a decades-old claim. A fixed limitation period gives everyone certainty and encourages people to sort out disputes while the facts are still fresh.

Limitation Doesn't Mean the End of Justice

A common misunderstanding is that once the limitation period is over, the underlying claim disappears entirely - that the debt vanishes, or the wrong stops being a wrong. That isn't quite right. What the law actually bars is judicial recourse, meaning your ability to force the matter through court. It does not, in most cases, erase the underlying right itself; only the court route is closed off.

This is why, in the loan example above, B can still choose to repay the debt voluntarily even after three years, and that repayment is entirely valid in law. And because the right hasn't been wiped out, parties can also choose to settle the same dispute through arbitration - a private process where both sides agree to let a neutral person decide the matter - even after the court deadline has technically passed, so long as both sides are willing to proceed on that footing. Limitation closes one specific door, the court's; it doesn't necessarily close every door.

How This Plays Out Under the POSH Act

Sexual harassment complaints at the workplace don't fall under the Limitation Act directly. They're governed by their own law - the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, better known as the POSH Act. Section 9 of the POSH Act sets its own clock: a complaint should ordinarily be filed within three months of the incident, or the last incident if there's a pattern, and the Internal Committee can extend that by up to three more months if it's satisfied there was sufficient reason for the delay. So the outer limit, even with an extension, is six months.

Section 29(2) of the Limitation Act explains how the two laws fit together: when a special law like POSH prescribes its own limitation period, that period governs - not the Limitation Act's usual timelines. But the reasoning courts have built up around "sufficient cause" under the Limitation Act still shapes how Internal Committees and courts read POSH's own extension clause. POSH runs on its own clock, but it borrows the same underlying philosophy.

Applying that philosophy here isn't straightforward, though, because the reasons someone delays reporting harassment rarely look like the reasons this philosophy was originally built around - a missed deadline, a lawyer's oversight, an administrative slip. They look more like fear of retaliation

at work, self-doubt about whether what happened "counted" as harassment, quiet pressure to let it go, or simply the time it takes to process what happened before being able to name it and act on it. A limitation clause written in mechanical, three-month terms doesn't automatically leave room for any of that.

This creates a real tension for committees and courts applying "sufficient cause" in these cases. Read the deadline too strictly, and genuine complaints get screened out for reasons that have nothing to do with whether the harassment actually happened - which ends up punishing exactly the kind of delay that is most common and least blameworthy here. Read it too loosely, and the deadline stops meaning anything, leaving no workable boundary for when old, hard-to-verify allegations can still be raised. It was this exact tension that the Supreme Court had to work through in the case below.

Vaneeta Patnaik v. Nirmal Kanti Chakrabarti (2025 INSC 1106)

This tension played out directly in *Vaneeta Patnaik v. Nirmal Kanti Chakrabarti*, decided by the Supreme Court in September 2025. A faculty member at a national law university filed a complaint before the institution's Local Complaint Committee, alleging a pattern of inappropriate conduct by the Vice-Chancellor stretching back several years, with the last specific incident said to have occurred a few months earlier. The complaint was filed after the six-month outer limit under Section 9 of the POSH Act had already passed. The committee rejected it as time barred. A single judge of the Calcutta High Court later set that rejection aside and ordered the committee to hear the matter on merits, reasoning that later hostile treatment at the workplace effectively continued the harassment and kept the limitation clock running.

The Supreme Court disagreed with that reasoning. It held, in essence, that the outer limit under Section 9 is a real and mandatory boundary, not a soft guideline that yields whenever the underlying allegation is serious. More importantly, it drew a sharper line than lower forums had: later administrative or institutional actions can only be treated as part of a "continuing" course of harassment if they have a direct, demonstrable connection to an actual sexually coloured act or conduct. General workplace friction, unrelated committee decisions, or later disputes involving the same individuals do not, by themselves, extend the limitation period just because the complainant experienced them as connected or as an extension of hostility. On the facts, the Court

found the last act with a genuine nexus to the harassment allegation had occurred earlier than the complainant argued, and that the complaint was therefore correctly treated as time barred.

It is a significant order because it does two things at once. It affirms that limitation clauses in this space are meant to be taken seriously rather than treated as a formality — but it does so by refining the test for what counts as a continuing wrong, rather than by simply saying "delay is delay." That distinction matters more than it might first appear, because it means the Court was not just enforcing a deadline; it was trying to define, with some precision, what kind of later conduct can legitimately be said to be part of the same harassment.

Two Sides of the Argument

One reading treats this as a straightforwardly strict, complainant-unfriendly outcome — a case where a serious allegation was kept out purely on a technical ground, reinforcing exactly the kind of institutional gatekeeping that discourages people from coming forward in the first place. On this view, six months is already a short window given how harassment complaints typically unfold, and a direct-nexus test that filters out anything not tightly connected to an overt act risk ignoring the slower, cumulative way hostile environments actually build up.

The other reading treats the same outcome as necessary institutional discipline. Internal committees deal with careers, reputations, and sometimes criminal-adjacent allegations; if "continuing wrong" is read too broadly, virtually any later friction between two people who once had a harassment dispute could be dragged back into the original complaint indefinitely, which would be unfair to the respondent and would make the limitation clause meaningless in practice. On this view, the Court was not closing the door on genuine grievances — it was preventing the continuing-wrong doctrine from becoming a loophole that swallows the rule.

Both readings are defensible, and that is really the point. The right answer probably isn't "the Court got it right" or "the Court got it wrong" in the abstract — it depends on how much weight one thinks should be given to the practical, well-documented reasons complainants delay, against how much weight should be given to giving respondents and institutions a workable, predictable boundary. Different committees, on slightly different facts, could reasonably land on either side of that line, which is exactly why a fixed, one-size-fits-all rule does not sit comfortably with this category of case.

Where This Leaves the Interpretation of "Sufficient Cause"

If there is a middle ground worth taking seriously, it's this: the outer statutory limit under Section 9 should be treated as real and shouldn't be stretched indefinitely through an overly generous reading of "continuing wrong" — the Court's caution on that point is reasonable. But within the space the statute already allows for condonation, the "sufficient cause" standard should be interpreted with some awareness of how harassment complaints actually unfold, rather than measured against the same yardstick used for a missed commercial filing deadline. Fear of retaliation, unequal power between complainant and respondent, and the time it genuinely takes to process and report such conduct are the kind of explanations that arguably deserve more sympathetic treatment under "sufficient cause" than a purely procedural lapse would.

That is a case-by-case judgment, not a blanket rule in either direction, and that is probably how it should stay. A three-month delay explained by continued proximity to the harasser at work is not the same as a delay where a complainant simply changed her mind about pursuing the matter and then reconsidered years later. Treating every delay the same way — whether by always condoning it or always refusing to — would flatten out precisely the distinctions that matter most in this kind of case.

Conclusion

Vaneeta Patnaik is an important decision, but it should be understood in the context of the facts of that particular case. It should not be treated as a fixed formula to be applied automatically to every similar complaint.

There may be a temptation, especially when committees or lawyers are working under time pressure, to turn the direct-nexus test into a simple checklist: if the complaint does not meet the test, it is treated as time-barred. That approach can be misleading. The real value of the decision is in the way it helps us think about the issue. Instead of simply asking whether a complaint fits the facts of Vaneeta Patnaik, we should ask what the limitation period under the POSH Act is intended to achieve and what the provision allowing an extension for "sufficient cause" is meant to address.

The broader lesson goes beyond this particular case. Court decisions are based on specific facts and circumstances; they are not substitutes for understanding the purpose behind the law. If a

precedent is followed mechanically, without considering why the court reached that conclusion, a rule intended to balance fairness can end up becoming a technical barrier for one side.

For Internal Committees and courts, the better approach is therefore to consider the purpose and circumstances of each case, while using earlier decisions as guidance rather than as a shortcut for making the decision.