

Receipt No : 2768651(18)/2018/LSGD(OS)

All SectionsGOVERNMENT OF KERALA
General Administration (Strictly Confidential) Department.

No. 548 /SC1/2018/GA(SC)

Dated; 07.08.2018

CIRCULAR*Pl. circulate
among
all staff*

Sub: Processing of Court Cases- avoidance of delay – Instructions.

It has been noticed that non observance of standing instructions in the Kerala Secretariat Office Manual (para 253) in processing of Writs and other Suits including Supreme Court cases attracts adverse remarks and personal appearance. Undesirable increase of Litigation deserves attention with a sense of diligence and urgency on the part of the Departments.

Whenever a case is disposed of by a court, it should be the endeavour of the Departments to obtain the copy of the judgement without delay and examine its implications. Where cases are decided against the Government, the Department should without loss of time obtain copies of the order and get opinion of the Law Department/ Advocate General.

It is to be ensured that any cause of action before the courts in suits and proceedings is extinguished by the bar of limitation and any judgment of the trial Court becomes final unless appeal/revision is preferred in time. In many cases, the Courts have demurred to condone the delay even on the plea of administrative grounds. Hence Secretaries should ensure that the limitation prescribed for preferring appeal/revision are taken into account and lapses avoided on all counts.

The Departments concerned, should be meticulously careful in the preparation of counter affidavits, statements of facts and similar other papers to be filed in court in consultation with Law Department/ Advocate General /Standing Counsel in Supreme Court and there should not be any delay in the preparation of these documents.

The court cases shall not be dragged into contempt by willful lapses. No irreparable loss or injury shall be caused to Government exchequer due to lapses.

*JMB
9/8/18*

Receipt No : 2768651(18)/2018/LSGD(OS)

Monthly review will be held by Secretaries to evaluate the progress of court cases without fail and instructions will be given to the officers to submit report in the monthly meeting of the Departments.

Hereafter, date - wise action taken report with explanation for the delay/non-compliance of the court directions shall also be submitted while submitting files on contempt cases.

The Secretaries should ensure that the above instructions are scrupulously followed.

Tom Jose
Chief Secretary

To

All Additional Chief Secretaries / Principal Secretaries / Secretaries / Special Secretaries.

All Additional Secretaries / Joint Secretaries / Deputy Secretaries.

All Departments including Law and Finance.

Web & New Media (for uploading in the Government Website).

Stock File / Office Copy.

Forwarded / By Order



Section Officer