



प्रेषक / From :

संयुक्त सचिव (प्रशासन)  
Joint Secretary (Admn.)

सेवा में / To :

सी.एस.आई.आर. की सभी राष्ट्रीय प्रयोगशालाओं/संस्थानों/मुख्यालय/एककों के निदेशक/प्रधान  
The Directors/Heads of all CSIR National Labs./Instts./Hqrs./Units

महोदय/Sir / महोदया/Madam,

मुझे भारत सरकार द्वारा जारी की गई निम्नलिखित कार्यालय ज्ञापन को आपकी जानकारी, मार्गदर्शन और अनुपालन के लिए अग्रेषित करने का निदेश हुआ है:

I am directed to forward herewith the following Office Memorandum issued by the Government of India for your information, guidance and compliance:

SI. No.	Office Memorandum No.	Subject
1.	भारत सरकार, विधि और न्याय मंत्रालय, न्याय विभाग, कार्यालय ज्ञापन सं. N-17/10/2018-NM दिनांक 13.06.2018 Govt. of India, Ministry of Law and Justice, Department of Justice, OM No. N-17/10/2018-NM dated 13.06.2018	Judgement dated 28.03.2018 in Criminal Appeal No. 1375-1376 of 2013 passed by Hon'ble Supreme Court of India.

भवदीय/Yours faithfully

(सिद्धार्थ दे / Siddhartha Dey)

अनु. अधि. (नीति प्रभाग)/ SO(PD)

संलग्न/Encl. : यथोपरि/As above

प्रतिलिपि/Copy to:

- 1) आई.टी. प्रभाग प्रमुख वेबसाइट और पॉलिसी रिपॉजिटरी पर इस कार्यालय ज्ञापन को उपलब्ध कराने के अनुरोध के साथ / Head, IT Division with the request to make this OM available on the website & Policy Repository.
- 2) कार्यालय प्रति/Office copy.

File No. N-17/10/2018-NM  
Government of India  
Ministry of Law and Justice  
Department of Justice

Jaisalmer House  
26, Mansingh Road, New Delhi-110011  
Dated: the 13<sup>th</sup> June, 2018

OFFICE MEMORANDUM

**Subject: Judgement dated 28.03.2018 in Criminal Appeal No. 1375-1376 of 2013 passed by Hon`ble Supreme Court of India.**

Sir,

This Department has received a copy of Judgement dated 28.03.2018 in Criminal Appeal No. 1375-1376 of 2013 passed by Hon`ble Supreme Court of India, through the Office of Hon`ble Prime Minister for forwarding to all concerned.

The implication of the aforesaid judgment is that where any action by a development agency or an enforcement agency, as the case may be, was stayed by a court of law, the same shall stand vacated automatically at the expiry of 6 months from the date of the order i.e. 28.03.2018, unless the same is extended by a speaking order. Further, the judgment casts a responsibility on the court granting stay that the speaking order must show that the case was of such exceptional nature that continuing the stay was more important than having the trial finalized. Also, in such cases where the stay is extended, the trial court has been directed to fix a date not beyond six months of the order of stay so that on expiry of period of stay, proceedings can commence.

The judgment of Hon`ble Supreme Court can be accessed at <https://sci.gov.in/supremecourt/2011/27580/27580 Judgement 28-Mar-2018.pdf>.

*Handwritten:* 25/06/18

*Handwritten:* D.S. Sharma

*Handwritten:* Circulate to all. Also keep a copy in G. File. US (Admin) 26.06.2018

*Handwritten signature:* G. Pai

(Giridhar G Pai)  
Director  
Ph. 23072145

Secretary  
Department of Scientific & Industrial Research  
Technology Bhavan, New Mehrauli Road, New Delhi - 110016

Copy to: - Under Secretary (JI), Department of Justice for uploading on portal w.r.t PMO ID No. 4827311/PMO/2018-Pol dated 24.04.2018.

*Handwritten:* So Esik

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उप सचिव (आ. १) (स. ३३.१.१०१६)  
दिनांक 26.6.2018