

Speed Post



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विधि सलाहकार
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वैज्ञानिक तथा औद्योगिक अनुसंधान परिषद्
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COUNCIL OF SCIENTIFIC & INDUSTRIAL RESEARCH
Anusandhan Bhawan, 2, Rafi Marg, New Delhi-110001

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10.06.2021

To,

Heads of all National Labs/Instts. of CSIR,

Sub:- Delay in filing of SLP/Civil Appeals before the Hon'ble Supreme Court of India-reg.

Sir/Madam,

Please find enclosed herewith a copy of D.O. No. J-12012/5/2016-Judl. (Part) dated 9th Feb., 2021 from Sh. Anoop Kumar Mendiratta, Secretary, Deptt. of Legal Affairs, Ministry of Law & Justice, for scrupulous adherence of the instructions given therein.

It may be ensured, that in all legal matters, actions as may be required, is to be taken in a time-bound manner and delay is to be avoided.

Hindi version follows.

Yours faithfully,

Encl:- As above.

Jayesh

(Jayesh K. Unnikrishnan)

Copy to:-

1. Sr. COA/COA/AO of all Labs./Instts.
2. Sr. CoFA/CoFA/F&AO of all Labs./Instts.
3. Head, IMD
4. DS, Office of DG, CSIR
5. Office of JS(A)
6. PA to FA
7. PS to CVO
8. Sr. DS/DS/US at CSIR Hqrs./CSIR Complex/HRDC, Ghaziabad.
9. Sr.Dy. FA/Dy. FA/F&AO at CSIR Hqrs/CSIR Complex, HRDC, Ghaziabad.
- ✓ 10. IT Division for uploading the Circular on CSIR Website.
11. Office Copy

अनूप कुमार मेंदीरत्ता
Anoop Kumar Mendiratta



सचिव
विधि और न्याय मंत्रालय
भारत सरकार
SECRETARY
DEPARTMENT OF LEGAL AFFAIRS
MINISTRY OF LAW & JUSTICE
GOVERNMENT OF INDIA
February 9, 2021

D.O No.J-12012/5/2016-Judl.(Part)

Dear Secretary,

Kindly refer to D.O. letter of even number dated 13.11.2020, *inter-alia*, requesting that the time lines referred in Cabinet Secretariat's D.O.No.403/1/52016-CA.V dated 25.11.2016 be scrupulously followed in a time bound manner, to avoid any delay in filing of SLP/Civil Appeals before the Hon'ble Supreme Court of India (copy enclosed).

2. In this context, attention is invited to orders recently passed by the Supreme Court of India, taking a serious view of the delay in filing Appeals. (viz., SLP (Civil) Diary No(s). 25547/2020, *Union of India & Ors. versus Radhey Shyam* dated 28.01.2020, SLP (Civil) Diary No(s). 28554/2020, *Union of India & Ors. versus R. Jayasankaran* dated 01.02.2021, SLP (Criminal) Diary No. 24676/2020 *Union of India Vs. Jitendra* dated 08.01.2021, SLP (Criminal) Diary No. 24723/2020, *Narcotics Control Bureau Regional Bureau at Jodhpur Vs. Nepal Singh Meena & Anr.* dated 08.01.2021). In all the cases, the Hon'ble Supreme Court, while dismissing the SLPs on the ground of delay in filing SLPs has deprecated the casual manner in which the petitioners have approached the Hon'ble Court for condonation of delay without any cogent or plausible grounds, and has imposed costs to be recovered from the officers responsible for the delay in filing appeals/SLP.

3. Besides above, in SLP (Civil) Diary No. 19846/2020, *Union of India Vs. Central Tibetan Schools Admin & Ors.* vide Order dated 04.02.2021, the Hon'ble Supreme Court while dismissing the SLP as time barred has also imposed a cost of Rs. 1 lac to be recovered from the concerned officers and observed that the officers responsible must be made accountable. It was further directed that a copy of this order be placed before the Law Secretary, Govt. of India and Secretary, Ministry of Human Resource Development to look into the matter personally not only making them accountable for compliance but also to ensure that the Hon'ble Supreme Court is not faced with such matters in future.

4. Considering the repeated directions passed by the Hon'ble Supreme Court from time to time, it is imperative for the Ministries/Departments to ensure that the SLPs/appeals are preferred within the period of limitation as prescribed by law.

5. I am, therefore, to again request you that all the officers concerned of your Ministry/Department/Organisations under your administrative control, be sensitized for adhering to the period of limitation while preferring any SLP/appeal and also the timelines issued in this regard as conveyed vide letter

dared 13.11.2020 be scrupulously followed, so as to ensure that the interests of UOI is duly safeguarded.

With warm regards,

Yours sincerely,



(Anoop Kumar Mendiratta)

All Secretaries to the Government of India

Copy to :

1. Cabinet Secretary, Cabinet Secretariat, New Delhi
2. Ld. Attorney General for India, Supreme Court of India, New Delhi.
3. Ld. Solicitor General for India, Supreme Court of India, New Delhi.
4. All Addl. Solicitors General for India



(Anoop Kumar Mendiratta)