

**GOVERNMENT OF MIZORAM
LAW AND JUDICIAL DEPARTMENT**

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OFFICE MEMORANDUM

Dated Aizawl, the 4th Sept., 2017

No. G.11021/8/2017-LJA : In reiteration of this office memorandum of even No. Dt. 2.8.2016 and Dt. 21.11.2016 and as desired by Hon'ble Minister, Law & Judicial Deptt. etc, attention of all Administrative Deptts/Head of Deptts/Govt. Advocates (of the High Court & District courts) is invited to the points noted below for strict compliance:

1. On account of reports received with regards to court cases where the State of Mizoram has been arrayed as a party, there are instances where copy of the plaint/petitions are received by officials of concerned deptt. but thereafter left unattended/unprocessed, thus, henceforth in cases in which the Govt. is arrayed as a necessary party, the copy of such plaint/petition etc. should be served to the Govt. Advocates appearing in such court where the plaint/petition is filed instead of the office of the deptt. involved. The Govt. Advocates shall cause a copy of such petition/plaint etc. to be furnished to the concerned deptt. forthwith and the deptt. shall through the Nodal Officer concerned furnish a duly vetted parawise comment with all supporting necessary document to the concerned Govt. Advocate keeping in mind the time frame fixed by the court.
2. As soon as a Judgment/Order/Interlocutory/Interim order is delivered, the Govt. Advocate concerned shall immediately furnish copies of the same to the concerned Department with written advice whether the case is fit for appeal/review/revision or not. Copy of the same shall also be given to Law & Judicial Department.
3. The Department concerned shall immediately and diligently appraise the Judgment/Order/Interlocutory/Interim order in light of the advice tendered by the Govt. Advocate, and take a final decision whether to file to appeal/review/revision or otherwise. However, in the event of conflicting opinion between the Govt. Advocate and the concerned department, the matter shall be referred to Law & Judicial Deptt. whose decision whether appeal, etc. be preferred or not against that particular Judgment/Order/Interlocutory/Interim order shall be final.

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4. If no appeal/review/revision, is preferred, the Nodal department concerned shall ensure compliance of the judgement/order to avoid any contempt of court proceeding. However, if an appeal is preferred, then, step be taken deligently so that it is filed within the relevant period of limitation.

Sd/- MARLI VANKUNG

Secretary to the Govt. of Mizoram
Law and Judicial Department

Memo. No. G. 11021/8/2017- LJA : Dated Aizawl, the 4th Sept., 2017
Copy to:-

1. Secretary to the Governor of Mizoram.
2. Secretary to Chief Minister, Govt. of Mizoram.
3. P.S. to Speaker/Deputy Speaker/Ministers/Minister of States, Mizoram.
4. Ld. Advocate General of Mizoram for information and necessary action.
5. P.P.S. to Chief Secretary, Govt. of Mizoram.
6. All Administrative Department for information and strict compliance.
7. District & Sessions Judge, Aizawl/Lunglei for information.
8. All Heads of Department for information and strict compliance.
9. Sr. Govt. Advocate, Aizawl for information and strict compliance.
10. Public Prosecutor, District Court, Aizawl/Lunglei for information and strict compliance.
11. All Govt. Advocates (Addl./Asst. GA/PP and all Standing Counsels/Asst. Standing Counsels) for information and strict compliance.
12. Web Manager, Law & Judicial Deptt. for uploading in the Law & Judicial Deptt. website.
13. Guard File

R. Lalmuankimi

(R. LALMUANKIMI)

Under Secretary the Govt. of Mizoram

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