

**GOVERNMENT OF MIZORAM
LAW AND JUDICIAL DEPARTMENT**

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OFFICE MEMORANDUM

Dated Aizawl, the 21st Nov., 2016

Subj: Handling of Court Cases :-

1. Vetting of PWCs.
2. Guidelines for preferring appeal in the higher court.

In continuation to O.M of even No. Dt. 2.8.2016 regarding Guidelines for handling of court cases, attention of All Administrative/All HODs/All Govt. Advocates is hereby invited to the points highlighted below for strict compliance:-

1. In supercession of O.M No. A. 36020/1/15-LJE Dt. 5.2.2016 wherein vetting of PWCs by L&J Deptt. has been discontinued, it has been decided that the Deptt. shall again vet all PWCs in the District Court, High Court & Supreme Court since the need has arisen with the cancellation of the grouping of Deptts. and dedicated Standing Counsels & Asst. Standing Counsels. While the concerned Deptt. shall respond to each and every averment allegation in full details with facts and figure or when possible, the PPs & Govt. Advocates are expected to incorporate all necessary legal points to the PWCs once vetted by the L&J Deptt. before submission to the Courts.
2. It is hereby reiterated that the PPs/GAs are to go through the judgement deligently and offer comments as to whether the particular judgement is a fit case for appeal or not, and if so, the same shall immediately be communicated to the concerned Deptt. highlighting the ground for appeals without fail, with a copy to the L&J Deptt.
3. If the Govt. decides to appeal the judgement/order of the lower courts before the court of D&SJ, the Deptt. shall communicate to the Sr. GA/PP for appeal who will take further necessary action, like obtaining certified copy of judgement & other relevant documents from the Trial Court and then prefer an appeal.

4. The Departments, having allegations for administrative action, should invariably furnish all relevant documents connected with the case urgently.

Likewise, if the Govt. decides to appeal judgement/order of District Courts before the High Court, such decision shall be communicated forthwith to the AAG/PP in the Gauhati High Court (AB) as the case may be along with grounds for appeal. Upon receipt of such communication, the AAG/PP shall immediately request relevant documents including a Certified copy of such judgement/order from the Sr. GA/PP and other relevant documents as may be required from the concern deptt. with intimation to L&J Deptt.

Sd/- MARLI VANKUNG

Secretary to the Govt. of Mizoram

Memo No. G.11021/8/10 – LJA

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Dated Aizawl, the 21st Nov., 2016

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/Parliamentary Secretaries, Govt. of 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. All Heads of Department for information and strict compliance.
8. All Addl. Advocate General's 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 (Asstt./Addl. GA/PP) for information and strict compliance.
12. ✓ Guard File

R. Lalmuankimi

(R. LALMUANKIMI)

Under Secretary to the Govt. of Mizoram

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