

Copy of Govt. Circular Memorandum No.16052/A1/73/Law dt. 27-11-73 from Law Deptt. To all Heads of Departments and offices.

Sub:- Giving instructions to the Law officers in cases where appeals should be filed against adverse judgements and writ petitions – regarding

The time for filing writ appeals against the Judgements of the single judge to the Division Bench of the High Court is 30 days from the date of receipt of the certified copies are received by the office of the Advocate-General they are transmitted to the Department and/or to officers who are respondents in the writ petitions. But it has been pointed out by the Advocate-General that in many cases instructions are received in his office for filing appeals against judgements after the expiry of the period of 30 days. In such cases the Law Officers have to file appeals along with petitions for condonation of delay. The ground generally advanced in such condonation petitions is that the delay is due to administrative exigencies. It is now stressed that the High Court insists that sufficient reason for excusing delay in filing appeals should be furnished and that unless this is done, the court would be constrained to take a serious view of the petitions.

In the above Circumstances all Departmental Officers are directed to see that necessary instructions along with certified copies of judgements for filing appeals against adverse judgement in writ petitions reach the Advocate General within 10 days and at least five days before the date of expiry of the period of limitation of filing such appeals.

The above instructions should be strictly adhered to.

To

All Heads of Departments and Office.

K.P.K.MENON,
Chief Secretary

Endt. On B2-55445/73 dt. 5-12-73 (Dis)

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For Conservator of Forests, Trichur.