

**URGENT**  
**COURT MATTERS**

No. 62/42/2014-6GS1

From

The Chief Secretary to Government, Haryana.

To

1. All the Administrative Secretaries to Government Haryana
2. All the Heads of Departments, Commissioner, Ambala, Hisar, Gurgaon and Rohtak Divisions.
3. The Registrar, Punjab and Haryana High Court, Chandigarh
4. All the Deputy Commissioners of the State of Haryana.
5. The Managing Directors/Chief Administrators of all the Boards/Corporations in Haryana State.
6. The Registrars of all the Universities in the State of Haryana.

Dated Chandigarh, the, 18<sup>th</sup> June, 2015

**Subject: Filing of Written Statements/affidavits/counters etc. within the given time frame-  
CWP No. 15988 of 2013 – Court on its own Motion Vs. State of Punjab and  
Haryana.**

\*\*\*\*\*

Sir/Madam,

I am directed to invite your attention towards the Government letter no. 62/42/2013-6GS1, dated 18.9.2013, 19.9.2013, on the subject noted above vide which all the Departments/Boards/Corporations etc. were directed to ensure that affidavits/replies/written statements are filed in the Hon'ble Courts atleast three working days prior to the date fixed for hearing and also to ensure that the cost, on account of delay in filing reply/ affidavit, imposed by the Hon'ble Court mandatorily be recovered from the delinquent officer so that the State does not suffer due to the result of the cost being imposed.

2. It has been brought to the notice of the State Government that despite the instructions issued time to time as referred above, the instructions are not being complied with in letter & spirit and as a result costs are being imposed on the State and its instrumentalities by the Hon'ble High Court. In the notices being issued by the Hon'ble High Court in Writ Petitions (CWPs), it is specifically mentioned that **"file your written statement 3 working days before the date"**. Similarly, in the notices being issued by the Hon'ble High Court in the Contempt Petitions (COCs), it is specifically provided that **"to file an affidavit atleast 7 working days before the said date"**. Despite this, notices are not being attended to with care and caution. Moreover, officials of the departments approaching for

vetting/drafting of reply or written statement 2 or 3 days prior to the date fixed and that too with incomplete records of the case, resulting in non-filing of reply within the stipulated time. Due to such in-action on the part of officials concerned the Hon'ble Benches become annoyed that the orders passed by the Hon'ble High Court are not being complied with in time and consequently costs and sometimes heavy costs are being imposed on the State.

3. The matter has been viewed seriously by the State Government. You are, therefore, again directed to ensure that replies/written statement are filed in all Writ Petitions three working days prior and, in Contempt Petition seven working days prior to the date fixed for hearing. Head of Departments/Administrative Secretaries while monitoring the court cases must ensure that each and every notice/summons/court orders received from the Hon'ble Court are disposed of within stipulated time and the officers/officials must be directed to approach the office of Advocate General, Haryana within one week from the date of receipt of Court notice/summons alongwith complete file of the case, draft written statement/reply/affidavit etc. and the sanction/instructions issued by LR, Haryana for getting the draft written/reply/affidavit etc. vetted or filed. It is further directed to ensure that in case instructions are not complied with, the official(s) concerned responsible shall be liable for costs imposed and departmental proceeding be initiated against him/her.

4. These instructions may be brought to the notice of all the concerned for strict compliance.



Under Secretary, General Administration,  
for Chief Secretary to Government Haryana.