

No. 7/68/2016-3FP1/ 811043/1

Government of Punjab  
Department of Finance  
(Finance Personnel – 1 Branch)

Dated, Chandigarh: 03/08/2016

To

All Head of Departments,  
Commissioners of Divisions,  
Registrar, Punjab and Haryana High Court,  
District and Sessions Judges;  
Deputy Commissioners in the State.

Subject: Defending Court cases in which Finance Department is  
impleaded as a party.

Sir,

In continuation of the Letter No. 39/29/85-2FP1/4525 dated 14.10.1985, No. 9/64/89-2FP1/8897 dated 4-10-1989 and No. 1/3/96-FP1/4940-80 dated 5.8.1996, vide which instructions have already been issued for filing replies intime in cases where Department of Finance has been impleaded as a party. It has been noticed that court cases from the Administrative Departments are received in the Finance Department at a belated stage i.e. only 3 or 4 days prior to the date of hearing which cause embarrassment for the Finance Department before the Hon'ble Court and sometimes Hon'ble Court summons the senior officers in the court or impose penalty or pass adverse remarks. To avoid such incidents in future, all the Administrative Departments are advised as under:-

1. Draft replies/proposals in Court cases may be sent at least 15 working days prior to the date of hearing for proper examination in the Finance Department and, in case, the case is not received within a stipulated period, the same shall be sent back and the concerned Administrative Department shall be responsible for any adverse orders regarding delay in the Hon'ble Court.
2. The instructions issued by the Finance Department are implemented by the Administrative Department in their respective Departments, as such, whenever a file pertaining to court cases is sent to the Finance Department, for approval/clarification etc., it must be examined in light of the Departmental Rules of the concerned Department as well as

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instructions issued by the Finance Department from time to time. Copies of all relevant documents relied upon must be sent to Finance Department alongwith the proposal.

3. In court cases, the opinion of the Advocate General/Director Prosecution and Litigation, Punjab may be obtained by providing detailed facts of the case in writing to the office of Advocate General Punjab/Director, Prosecution and Litigation, Punjab and thereafter a self explanatory proposal may be sent to Finance Department.

It is requested that the above instructions may please be brought to the notice of all the concerned Officers/Officials for strict compliance.

Yours faithfully,

*Bhagat Singh*  
(Bhagat Singh) 3/8/16  
Under Secretary Finance

I.D. No. 7/68/2016-3FP1/ 811043/2 Dated: 03/08/2016

A copy of the above is forwarded for information to:-

The Chief Secretary,  
The Financial Commissioners and  
The Administrative Secretaries to Government of Punjab.

*Bhagat Singh*  
(Under Secretary Finance) 3/8/16

Endst No. 7/68/2016-3FP1/ 811043/3 Dated: 03/08/2016

A copy of the above is forwarded, for information and necessary action to:-

1. The Advocate General, Punjab, Chandigarh
2. The Advocate on record for the State of Punjab  
Supreme Court of India, New Delhi.

*Bhagat Singh*  
(Under Secretary Finance) 3/8/16