

Government of Orissa  
Law Department

No. ILR-72/96 6984/ -L, dated, Bhubaneswar, the 8th May, 2001.

To

All Departments.

Sub: Filing of first Appeals before  
the Hon'ble High Court.

In communicating the order of the Chief Secretary it is intimated that appeal proposals have been referred to the Law Department after the period of limitation.

Some appeals have not been admitted due to non satisfactory explanation of delay.

In this regard copy of Advocate General Orissa is enclosed herewith for reference.

It is thus requested to place Appeal proposals sufficiently before the expiry of the period of limitation and to be in readiness to deposit the required amount with the Office of the Advocate General for legal expenses.

Sd/  
Addl. Legal Remembrancer.

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Government Of Orissa  
General Administration Department

No. Cords 59/2001 174480... /Gen., dt. 6-6-2001

Copy alongwith copy of the enclosures forwarded to all Sections and all Subordinate Offices of G.A. Deptt. for information and necessary action.

M. L. S. 2001  
Under Secretary to Govt.

G.F  
C  
PKB  
21-6-01

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Copy of D.O. No. 13544/WE dated 17.4.2001 of Shovesh Roy, Advoc  
General, Orissa addressed to The Legal Rememberancer, Law Deptt.

Sub: Regarding filing of First Appeals before the  
Hon'ble High Court.

This is to inform you that at present the proposals to file First Appeals and other appeals are being dealt with directly by the Law Department without seeking opinion of the Advocate General. Thereafter appeals are filed in the Hon'ble High Court as per the orders of the Govt. in the Law Department. But it is seen in almost all cases the sanction orders/proposals for such appeals are being received beyond the prescribed time limit. Moreover, the appeals are also filed with petitions under section 149 C.P.C praying for time to file ad valorem Court fee. In many cases required amount for the purpose are also not received within the period as prayed for in such 149 petitions; as a result of which this office as well as Law Officers are facing embarrassment. You are aware that now-a-days, the Courts are very stiff in granting time to the State (Appellant) in such matters. In this connection there is a judgement of this Hon'ble High Court, which has been reported in 1987(I) O.L.R page 35 may please be referred to for your appreciation (Xerox copy enclosed).

In the above facts and circumstances, I request you to please instruct the Departments/Collectors to send the proposals sufficiently before the expiry of the period of limitation and be in readiness to deposit the required amount with the office of the Advocate General for legal expenses immediately after Govt. order is received to this effect to file appeal so as to avoid dismissal of the appeal.

This may be treated as VERY IMPORTANT.

Encl.: As above.

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