

**Dushyant Mudgal**

**दुष्यंत मुद्गल**

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DO No. LC-11/1/2025-SR and Legal-DOP

भारत सरकार  
संचार मंत्रालय, डाक विभाग  
डाक भवन, नई दिल्ली-110001

Government of India  
Ministry of Communications  
Department of Posts  
Dak Bhawan, New Delhi-110001

23<sup>rd</sup> July, 2026.

Respected Sir / Madam

I am writing to draw your kind attention to the handling of court cases at various levels in the Department of Posts, i.e., Division, Region and Circle level. It has been observed that court cases are not being handled in a timely and effective manner, resulting in delays in filing replies and counter-affidavits, delay in filing appeals, and delayed action on judgments pronounced. Due to this, the Department's interests are being adversely affected and the Department is also incurring heavy expenditure in processing these court cases.

2. Keeping in view the delays detailed above, it has been decided to formulate detailed guidelines for handling of court cases at each level in the form of a Standard Operating Procedure (SOP). The draft SOP is enclosed as Annexure.

3. The objectives of this SOP are as under:

- i. Timely compliance with judicial directions.
- ii. Ensure zero contempt proceeding.
- iii. Strict adherence to the 30-day rule for filing of counter-affidavits in court cases.
- iv. Timely filing of appeals in the respective courts against adverse orders.
- v. Ensuring that every legal proposal is sent through e-Office or official email only.

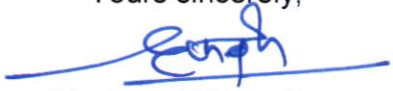
3. The above objectives will ensure effective monitoring, timely compliance with judicial directions and coordinated legal action, thereby minimizing delays and reducing litigation in the Department. Further, with a more proactive, accountable and result-oriented approach, the number of contempt cases can be brought down to zero.

4. I request you to kindly go through the enclosed SOP and ensure its strict implementation across all Divisions under your jurisdiction. You will appreciate that the collective efforts of Circles and the Directorate will help safeguard the Department's interests and uphold legal diligence.

With regards

Encl.: As above

Yours sincerely,

  
(Dushyant Mudgal)

To

1. All Chief Postmasters General
2. All Postmasters General
3. Director, RAKNPA
4. The GM, CEPT – with the request to upload this letter on India Post website

**Standard Operating Procedure for Handling of Court Cases**

**PART-A – Preventive Measure**

- (i) It has been observed that a large number of cases arise due to the improper handling or non-disposal of representations/notices received from applicants. In many instances, Courts and Tribunals merely direct the Department to consider and dispose of such representations/notices, resulting in avoidable litigation.
- (ii) Such cases can be largely avoided through the timely and effective disposal of representations, which would not only reduce the number of litigations but also strengthen the Department's position before Courts and Tribunals.
- (iii) Representations received from employees on service matters shall be disposed of in a time-bound manner within one month from the date of receipt, in accordance with DoPT O.M. No. 25/34/68-Estt. (A) dated 20.12.1968.
- (iv) In cases where a representation involves a policy matter and requires inputs from the Directorate or any other Department/Ministry, the matter shall be referred to the Directorate through e-Office within seven days of receipt of the representation.
- (v) In the event of a delay in receiving inputs from the Directorate, other Department/Ministry, or any other authority, an interim reply may be issued to the applicant to avoid unnecessary litigation.
- (vi) Every representation shall be disposed of by the Division, Region, or Circle through a reasoned and speaking order, clearly indicating the facts of the case, applicable rules, and the grounds for the decision. Such an approach will strengthen the Department's stand before judicial forums.

**PART -B – Handling of Court Cases**

**1. Classification of Cases: -**

- (a) Consumer Forum related (DCPF/State Commission/National Commission.

- (b) Central Administrative Tribunal
- (c) High Court
- (d) Supreme Court (SLP)
- (e) Others (Lok Adalat, Revenue Cases, Labour Commission, Civil Court, Distt & Session Court)

## 2. Procedure for handling of Court Cases

### (a) Cases related to Consumer Forum (District/State Commission & National Commission).

**(i)** District Consumer Disputes Redressal Commission (DCDRC): Divisional Head concern will defend the case without referring the matter to Regional/Circle office unless the case involve a policy matter.

| <u>Detail</u>                                 | <u>Action</u>                                                                                                                                                                                           | <u>Timeline<br/>(In working days)</u> |
|-----------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|
| <b>Action on receipt of Notice of DCDRC</b>   | The Office Assistant (OA) shall prepare a brief history of the case along with para-wise comments, which shall be scrutinized by the concerned Inspector Posts/Assistant Superintendent of Posts (ASP). | 7                                     |
|                                               | <b>Note:</b> In cases involving policy, technical or legal issues, comments of the concerned authority shall be obtained and incorporated before submission.                                            |                                       |
|                                               | The Divisional Head shall examine and approve the brief history and para-wise comments and forward the complete case along with all relevant documents to the Government Counsel.                       | 3                                     |
|                                               | The Government Counsel shall prepare and file the written statement/reply before the District Consumer Disputes Redressal Commission.                                                                   | 10                                    |
| <b>Action on receipt of order of District</b> | <b>Where the order is in favour of the Department:</b> The Divisional Head shall close the case after ensuring compliance with the order, wherever required, and preserve the                           |                                       |

|                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |    |
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| <b>Consumer Forum</b>                                   | case records in accordance with the prescribed Record Retention Schedule.                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |    |
|                                                         | <p><b>Where the order is against the Department:</b> The Divisional Head shall examine the judgment, considering the nature of deficiency, financial implications, legal opinion, departmental policy, and the Negative List circulated by the Directorate, and decide the further course of action.</p> <p><b>Note:</b> If the order involves policy issues, recurring legal questions or wider administrative implications, the matter shall be referred to the concerned Regional Office/Circle Office for appropriate directions.</p> | 10 |
|                                                         | <p><b>If the decision is to implement the order:</b> The Divisional Head shall ensure timely implementation of the order and close the case after obtaining proof of compliance.</p>                                                                                                                                                                                                                                                                                                                                                      |    |
|                                                         | <p><b>If the decision is to file an appeal:</b> The Divisional Head shall forward the complete proposal, along with legal opinion, certified copy of the judgment and specific recommendations, to the concerned Regional Office/Circle Office through e-Office. Where e-Office is not operational, the proposal may be sent through official e-mail.</p>                                                                                                                                                                                 | 7  |
| <b>(ii) State Disputes Redressal Commission (SCDRC)</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |    |
| <b>Filing of appeal before State Commission</b>         | The Regional Office/Circle Office shall examine the proposal and, if found fit for appeal, forward all relevant records to the Government Counsel for preparation of the draft appeal.                                                                                                                                                                                                                                                                                                                                                    | 7  |
|                                                         | The Government Counsel shall prepare the draft Memorandum of Appeal and forward                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 7  |

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|                                                                                   | the same electronically to the concerned Divisional Head for approval and signature.                                                                                                                                                  |    |
|                                                                                   | The Divisional Head shall obtain the signature of the competent authority on the Memorandum of Appeal, Vakalatnama and other required documents and forward the signed documents to the Regional Office/Circle Office.                | 5  |
|                                                                                   | The Regional Office/Circle Office shall transmit the signed documents to the Government Counsel for filing before the State Consumer Disputes Redressal Commission.                                                                   | 5  |
| <b>Action on receipt of order of State Consumer Disputes Redressal Commission</b> | If the decision is in favour of the Department, the Regional Office/Circle Office shall obtain a certified copy of the judgment and forward the same to the Divisional Head for record and closure of the case.                       | 5  |
|                                                                                   | If the decision is against the Department, the Regional Office/Circle Office shall obtain legal opinion and examine whether the order should be implemented or challenged before the National Consumer Disputes Redressal Commission. | 10 |
|                                                                                   | <b>If it is decided to implement the order</b> , the Regional Office/Circle Office shall issue necessary instructions to the Divisional Head for implementation and obtain a compliance report.                                       | 7  |
| <b>(iii) National Consumer Disputes Redressal Commission (NCDRC)</b>              |                                                                                                                                                                                                                                       |    |
| <b>Filing of Appeal before NCDRC</b>                                              | The Legal Cell of the Circle Office shall coordinate with the Government Counsel for preparation and filing of the appeal before the National Consumer Disputes Redressal Commission.                                                 | 7  |
|                                                                                   | On receipt of the draft appeal, the Divisional Head shall obtain the signature of the competent authority on the appeal papers and Vakalatnama and return the signed documents to the Government Counsel for                          | 7  |

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|                                                                               | filing before the National Consumer Disputes Redressal Commission.                                                                                                                                                                                                                                                                                                                                                                                            |    |
| <b>Action on receipt of Order of NCDRC</b>                                    | The Circle Office shall examine the judgment, obtain legal opinion wherever necessary, and decide whether the order should be implemented or challenged before the appropriate judicial forum, namely the Hon'ble High Court or the Hon'ble Supreme Court of India, as applicable.                                                                                                                                                                            | 10 |
| <b>(B) Central Administrative Tribunal (CAT)</b>                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                               |    |
| <b>Action on receipt of Notice from Central Administrative Tribunal (CAT)</b> | The Office Assistant (OA) shall prepare a brief history of the case along with para-wise comments, which shall be scrutinized by the concerned Inspector Posts/Assistant Superintendent of Posts (ASP).<br><br><b>Note:</b> In cases involving policy, establishment, technical or legal issues, comments of the concerned authority shall be obtained and incorporated before submission.                                                                    | 7  |
|                                                                               | The Divisional Head shall examine and approve the brief history and para-wise comments and forward the complete case to the concerned Regional Office/Circle Office through e-Office. In exceptional circumstances where e-Office is not available, the proposal may be forwarded through official e-mail.                                                                                                                                                    | 5  |
|                                                                               | The Regional Office/Circle Office shall examine the case, obtain necessary inputs wherever required, approve the proposed reply and provide a soft copy of the same to the Senior Central Government Standing Counsel (Sr. CGSC)/Government Counsel for preparation of the draft counter affidavit/reply.<br><br><b>Note:</b> In cases involving policy matters, interpretation of rules, or issues having wider implications, the Circle Office shall obtain | 7  |

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|                                                                      | inputs from the Directorate before finalization of the reply.                                                                                                                                                                                                                                    |    |
|                                                                      | The Sr. CGSC/Government Counsel shall prepare or suitably modify the draft counter affidavit/reply in accordance with applicable legal provisions and forward the same electronically to the concerned Division.                                                                                 | 10 |
|                                                                      | The Divisional Head shall obtain the signature of the competent authority on the counter affidavit/reply, Vakalatnama and other required documents and forward the signed documents to the Legal Cell of the Regional Office/Circle Office for onward transmission to the Government Counsel.    | 5  |
|                                                                      | The Regional Office/Circle Office shall forward the signed documents to the Sr. CGSC/Government Counsel for filing before the Central Administrative Tribunal.                                                                                                                                   | 5  |
|                                                                      | The Sr. CGSC/Government Counsel shall file the counter affidavit/reply before the Central Administrative Tribunal within the prescribed time limit and intimate the next date of hearing to the concerned office.                                                                                | 10 |
|                                                                      | In case a rejoinder is filed by the applicant, the same procedure prescribed for preparation and filing of the counter affidavit/reply shall be followed <i>mutatis mutandis</i> .                                                                                                               |    |
| <b>Action on receipt of order of Central Administrative Tribunal</b> | <b>Where the order is in favour of the Department:</b> The concerned Regional Office/Circle Office shall obtain a copy of the judgment/order and forward the same to the Divisional Head for record, closure and preservation in accordance with the prescribed Record Retention Schedule.       | 5  |
|                                                                      | <b>Where the order is against the Department:</b> The concerned Regional Office/Circle Office shall obtain legal opinion from the Sr. CGSC/Government Counsel and examine the judgment to determine whether the order should be implemented or challenged before the appropriate judicial forum. | 10 |

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|                                                                                            | <b>If it is decided to challenge the order:</b> The concerned Regional Office/Circle Office shall prepare and process the proposal for filing a Writ Petition before the Hon'ble High Court, along with legal opinion and all relevant records, and ensure filing within the prescribed limitation period.                                                         | 7  |
| <b>(C) Cases before the Hon'ble High Court</b>                                             |                                                                                                                                                                                                                                                                                                                                                                    |    |
| <b>Filing of Writ Petition/Writ Appeal/Other Proceedings before the Hon'ble High Court</b> | Where it is decided to challenge the order of the Central Administrative Tribunal, NCRDC or any other subordinate judicial/quasi-judicial authority, the concerned Regional Office/Circle Office shall forward the complete case records, along with legal opinion and relevant documents, to the Government Counsel for preparation of the draft petition/appeal. | 7  |
|                                                                                            | The Government Counsel shall prepare the draft petition/appeal and forward the same electronically to the concerned Divisional/Unit Head for approval and signature.                                                                                                                                                                                               | 10 |
|                                                                                            | The concerned Divisional/Unit Head shall take a printout of the draft petition/appeal, Vakalatnama and supporting affidavits, obtain the signature of the competent authority, and forward the signed documents to the concerned Regional Office/Circle Office through the prescribed channel for onward submission to the Government Counsel.                     | 5  |
|                                                                                            | The concerned Regional Office/Circle Office shall scrutinize the signed documents and hand over the same to the Government Counsel for filing before the Hon'ble High Court.                                                                                                                                                                                       | 3  |
|                                                                                            | The Government Counsel shall file the petition/appeal before the Hon'ble High Court within the prescribed limitation period and intimate the next date of hearing to the concerned office.                                                                                                                                                                         | 10 |



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|                                                                                                                                                                                                                                                                                                                                                                      | <b>Note:</b> In the event of receipt of any notice, rejoinder, counter affidavit, supplementary affidavit, miscellaneous application or any other pleading, the procedure prescribed for filing the original reply/petition shall be followed <i>mutatis mutandis</i> .                                                                                       |    |
| <b>Action on Receipt of Judgment of the Hon'ble High Court</b>                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                               |    |
| <b>If the decision is in favour of the Department</b>                                                                                                                                                                                                                                                                                                                | The concerned Regional Office/Circle Office shall obtain a certified copy of the judgment and forward the same to the concerned Divisional/Unit Head for record, closure of the case and preservation of records in accordance with the prescribed Record Retention Schedule.                                                                                 | 7  |
| <b>If the decision is against the Department</b>                                                                                                                                                                                                                                                                                                                     | The concerned Regional Office/Circle Office shall obtain legal opinion from the Government Counsel and examine the judgment, considering its legal, financial and policy implications, and decide whether the order should be implemented or challenged before the Hon'ble Supreme Court by filing a Special Leave Petition (SLP).                            | 15 |
| <b>If it is decided to implement the judgment</b>                                                                                                                                                                                                                                                                                                                    | The concerned Regional Office/Circle Office shall issue necessary directions to the concerned Divisional/Unit Head for implementation of the judgment and obtain a compliance report.                                                                                                                                                                         | 7  |
| <b>If it is decided to challenge the judgment</b>                                                                                                                                                                                                                                                                                                                    | The Circle Office shall prepare a detailed proposal, together with the certified copy of the judgment, legal opinion, chronology of events and specific recommendations, and forward the Special Leave Petition (SLP) proposal to the Directorate through e-Office. Where e-Office is not operational, the proposal may be forwarded through official e-mail. | 5  |
| <b>(D) Cases before the Hon'ble Supreme Court</b>                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                               |    |
| Cases for filing SLP will be decided at Directorate level. The proposal for filing a Special Leave Petition (SLP) shall be routed through Legal Cell of Postal Directorate .received proposal shall be examined in detail, in consultation with the concerned Division in the Directorate and an appropriate decision shall be taken regarding further legal action. |                                                                                                                                                                                                                                                                                                                                                               | 15 |

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| <b>If it is decided to implement the judgment of the Hon'ble High Court</b>                                                                                                                               | The Directorate shall convey its decision to the concerned Circle for necessary action. The Circle shall implement the order and furnish a compliance report to the Directorate.                                                                                                                                                                                                                     | 10 |
| <b>If it is decided to file an SLP</b>                                                                                                                                                                    | The Directorate shall accord approval for filing the Special Leave Petition and communicate the same to the Government Counsel, with a copy endorsed to the concerned Circle Office for necessary action.                                                                                                                                                                                            | 15 |
|                                                                                                                                                                                                           | Upon receipt of the approval of the Directorate, the concerned Circle Office shall coordinate with the Government Counsel, compile all requisite documents, obtain signatures on the Special Leave Petition, affidavits and Vakalatnama, and ensure filing before the Hon'ble Supreme Court within the prescribed limitation period.                                                                 | 10 |
|                                                                                                                                                                                                           | The concerned Circle Office shall closely monitor the progress of the case before the Hon'ble Supreme Court. Upon receipt of any interim order or final judgment, the same shall be examined immediately and forwarded to the Directorate through e-Office, along with comments and recommendations, for further directions.                                                                         | 10 |
| <b>(E) Other Judicial / Quasi-Judicial Cases</b><br><i>(Lok Adalat, Revenue Courts, Labour Courts/Industrial Tribunal, Civil Courts, District &amp; Sessions Courts, and other Local Judicial Forums)</i> |                                                                                                                                                                                                                                                                                                                                                                                                      |    |
| <b>Action on receipt of Notice/Summons</b>                                                                                                                                                                | As these cases are mostly relating to local issues, the concerned Divisional/Unit Head shall immediately examine the notice/summons, prepare a brief history of the case along with para-wise comments, collect all relevant records, and forward the same to the Government Counsel/Panel Counsel for preparation and filing of the reply or written statement before the concerned Court/Tribunal. | 10 |

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|  | <p>The Division shall defend the case effectively and take all necessary steps to safeguard the interests of the Department, including timely filing of pleadings, production of records, briefing of Government Counsel, and ensuring representation on every date of hearing.</p> <p><b>Note:</b> Where the case involves policy matters, interpretation of rules, technical issues, substantial financial implications, or issues having wider administrative ramifications, the concerned Division shall obtain the views of the Regional Office/Circle Office before filing the reply or taking any significant legal decision.</p> |  |
|  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |

### 3. Guiding Principles for Preparation of Draft Reply/Counter Affidavit

While preparing the draft reply/counter affidavit, the following principles shall invariably be followed:

- (i) The Original Application (OA), Writ Petition, Suit, Complaint or Notice shall be examined carefully to identify the relief(s) sought and the grounds on which such relief has been claimed.
- (ii) The maintainability of the case, including limitation, jurisdiction and other preliminary objections, shall be examined with reference to the applicable statutory provisions. In cases before the Central Administrative Tribunal, limitation shall be examined with reference to Section 21 of the Administrative Tribunals Act, 1985.
- (iii) The pleadings shall be examined in the light of the relevant Acts, Rules, Regulations, Government Orders, departmental instructions, circulars and policy guidelines in force, and the same shall be appropriately incorporated in the draft reply.
- (iv) Relevant judgments of the Hon'ble Supreme Court, Hon'ble High Courts and other Courts/Tribunals, particularly those decided in favour of the Department or laying down settled legal principles, shall be identified and suitably relied upon in the draft reply.

(v) Every factual assertion made by the applicant/petitioner shall be verified from the official records before the reply is finalized.

(vi) The draft reply/counter affidavit shall be factually accurate, legally sustainable and complete in all respects.

(vii) All replies, counter affidavits, rejoinders and other pleadings shall be filed well within the timelines prescribed by the concerned Court/Tribunal so as to avoid adverse observations or closure of the right to file reply.

(viii) The concerned office shall ensure that all relevant records, annexures and supporting documents are supplied to the Government Counsel sufficiently in advance.

#### **4. Review of pending court cases**

. (i) The Divisional/Unit Head shall conduct a monthly review of all pending Court/Tribunal cases during the first week of every month to monitor progress, identify delays and ensure timely compliance with judicial directions.

(ii) The Regional Office shall conduct a quarterly review of all pending litigation under its jurisdiction. Wherever delay or deficiency is noticed, suitable directions shall be issued to the concerned office and compliance shall be monitored.

(iii) The Circle Office shall also conduct a quarterly review of important and priority litigation, particularly cases pending before the Hon'ble High Courts, Hon'ble Supreme Court, Central Administrative Tribunal and Consumer Commissions.

(iv) A Litigation Monitoring Register/e-Office dashboard shall be maintained at every level indicating the stage of each case, next date of hearing, limitation period, responsibility and present status.

#### **5. Review of handling of cases at court**

(i) The concerned Regional Office/Circle Office shall adequately brief the Government Counsel before filing of the case as well as before every important hearing by providing complete facts, relevant records, applicable rules and judicial precedents.

(ii) At Regional/Circle Headquarters where a Bench of the Central Administrative Tribunal or Hon'ble High Court is situated, an Inspector Posts/Assistant Superintendent of Posts or any other designated officer shall attend the Court proceedings, wherever considered necessary, assist the Government Counsel and ensure timely compliance with judicial directions.

(iii) The performance of the Government Counsel shall be periodically reviewed on the basis of the following parameters:

- Effective presentation of the Department's case before the Court;
- Regular appearance before the Court on scheduled dates;
- Timely preparation and filing of replies, counter affidavits, rejoinders and appeals;
- Proper presentation of departmental facts and legal contentions before the Court;
- Quality and timeliness of legal opinion rendered in conformity with the applicable law and settled judicial principles.

(iv) Where it is found that the Government Counsel has not adequately protected the interests of the Department, the Regional Office/Circle Office shall take up the matter with the concerned Additional Solicitor General (ASG)/appropriate authority for suitable corrective action.

(v) In cases of persistent unsatisfactory performance, the Circle Office may submit a detailed proposal to the Directorate recommending removal of the concerned Government Counsel from the approved panel, duly supported by documentary evidence.

## **6. Submission of Proposal to Directorate**

(i) After obtaining the legal opinion of the Government Counsel, the Circle Office shall submit a self-contained proposal to the Directorate through e-Office within **five working days**, in the format prescribed at **Annexure-II**.

(ii) Every proposal shall invariably contain the following documents/information:

- (a) Certified copy of the Court/Tribunal order;
- (b) Chronology of facts and events;
- (c) Legal opinion of the Government Counsel;

- (d) Detailed comments and recommendations of the Circle Office;
  - (e) Financial implications involved;
  - (f) Whether similar issues are pending before any High Court or the Hon'ble Supreme Court;
  - (g) Limitation period and the last date for filing the appeal/Writ Petition/Special Leave Petition;
  - (h) Draft appeal/petition, wherever available.
- (iii) In all cases, the proposal shall reach the Directorate **within seven days of receipt of the legal opinion or at least one month before expiry of the limitation period**, whichever is earlier.

## 7. Cases Where Appeal Need Not Be Filed

In accordance with the instructions issued by the Department of Personnel & Training (DoPT), appeals shall not be filed mechanically merely because the Department has lost a case. An appeal may ordinarily not be filed where—

- (a) the judgment is consistent with the settled position of law;
- (b) no adverse observations have been made regarding Government policy;
- (c) the case has been lost due to an administrative lapse or factual deficiency;
- (d) the issue is already covered by judgments accepted and implemented by the Government;
- (e) the judgment does not have significant financial, administrative or policy implications for the Department.
- (f) Where, after exhausting all available legal remedies including review, it is found that filing an appeal before a higher Court is not economically justified in comparison to the liability arising from implementation of the order, the Circle, with the approval of the Chief Postmaster General (CPMG), may decide to implement the order as a **stand-alone case**. Such implementation shall not be treated as a precedent for similarly placed cases unless specifically decided by the competent authority.

**8. Priority Cases- Involving Policy Issues :** The following categories of cases shall be treated as **Priority Litigation**:

- a. Cases where Government policy, statutory provisions or departmental instructions have been struck down;
- b. Cases involving substantial financial implications;

- c. Cases where conflicting judicial pronouncements exist;
- d. Cases having all-India implications or affecting multiple Circles.
- e. Such matters shall be referred to the Directorate through **e-Office, official e-mail or any other expeditious mode within 48 hours** of receipt of the legal opinion.

## **9. Limitation Monitoring**

(i) Every Circle Legal Cell shall maintain a **Limitation Register/Diary** and generate alerts—

- (a) Thirty days before expiry of the limitation period;
- (b) Fifteen days before expiry;
- (c) Seven days before expiry.

(ii) No proposal shall ordinarily be forwarded to the Directorate after expiry of the limitation period. In exceptional cases, delayed proposals shall invariably be accompanied by—

- (a) Detailed justification for the delay;
- (b) Report indicating fixation of responsibility for the delay;
- (c) Draft application for condonation of delay.

## **10. Use of Electronic Communication**

In continuation of the instructions issued vide **Technology Division O.M. dated 21.11.2025** and **Pension Section Letter No. 22/14/2025-Pen. dated 09.01.2026**, and with a view to ensuring expeditious processing of litigation matters, all legal communications and proposals shall, as far as practicable, be processed through:

- (a) e-Office;
- (b) Official e-mail;
- (c) Scanned PDF copies of pleadings, affidavits, judgments and supporting documents;
- (d) Video conferencing or virtual meetings with Government Counsel, wherever feasible;
- (e) Electronic sharing of case records to avoid delays in filing pleadings and appeals.

**Note:** Physical copies of original documents shall be forwarded only where specifically required by the concerned Court, Tribunal or Government Counsel, or where mandated under the applicable procedural law.

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## **ANNEXURE II**

### **Format for Submission of Court Case Proposals to the Directorate**

All proposals seeking approval of the Directorate for filing a Writ Petition, Appeal, Special Leave Petition (SLP), Review Petition or any other legal proceeding shall be submitted in the following format:

#### **A. Brief History of the Case and Grounds for Appeal**

#### **B. Stage-wise Details of the Case**

##### **Part-I : Summary of Proposal**

1. Title of the Proposal
2. Name of Court/Tribunal
3. Case Number and Year
4. Name of Applicant/Petitioner and Respondent(s)
5. Date of Judgment/Order
6. Last Date for Filing Appeal/Writ Petition/SLP
7. Gist of the Judgment/Order proposed to be challenged.
8. How the Judgment/Order is contrary to:
  - a. Statutory provisions;
  - b. Existing Rules/Instructions;
  - c. Government policy;
  - d. Settled judicial precedents.
9. Likely consequences if the judgment/order is implemented, including:
  - a. Financial implications;
  - b. Administrative implications;
  - c. Policy implications;
  - d. Effect on similarly placed officials/cases.
10. Legal opinion of the Government Counsel/BLS (Department of Legal Affairs), wherever obtained.
11. Recommendations of the Head of Circle (HoC).

##### **Part-II : Origin of the Matter**

1. Particulars of the employee/applicant, including:
  - a. Name
  - b. Designation
  - c. Office
  - d. Employee ID (if applicable)
2. Nature of dispute.

- a. Whether any representation was submitted by the employee before approaching the Court/Tribunal. If yes, then details of representation and decision taken thereon. In case No, Whether the employee directly approached the Court/Tribunal.
3. Whether the matter was referred to the Directorate earlier. If yes, then reference details to the Directorate.
4. Decision communicated by the Circle to the employee, if any.

### **Part-III : Proceedings before the Central Administrative Tribunal (CAT)**

1. Timeline of events from filing of the Original Application (OA) till disposal by the CAT.
2. Important interim orders, if any.
3. Final decision of the CAT.
4. Whether the Circle is satisfied with the judgment.
5. If satisfied:
  - 
  - Action taken for implementation.
6. If not satisfied:
  - 
  - Whether challenged before the Hon'ble High Court.
  - Date of filing of Writ Petition.
  - Opinion of Government Counsel/BLS (Department of Legal Affairs).
  - Present status.

### **Part-IV : Proceedings before the Hon'ble High Court**

1. Timeline of events from filing of the Writ Petition till disposal.
2. Important interim orders, if any.
3. Final judgment of the Hon'ble High Court.
4. Whether the Circle is satisfied with the judgment.
5. If satisfied:
  - 
  - Action taken for implementation.
6. If not satisfied:
  -

- Whether the Circle proposes to challenge the judgment before the Hon'ble Supreme Court.
- Grounds for filing SLP.
- Opinion of Government Counsel/BLS (Department of Legal Affairs).
- Present status.

#### **Part-V : List of Annexures**

The proposal shall invariably contain the following documents, serially numbered:

1. Certified copy of the impugned judgment/order.
2. Copy of Original Application/Writ Petition/Appeal.
3. Written Statement/Counter Affidavit filed by the Department.
4. Rejoinder, if any.
5. Copies of interim orders.
6. Legal opinion of the Government Counsel.
7. Opinion of the Branch Legal Secretariat (DoLA), wherever applicable.
8. Relevant Rules, Government Orders and Departmental Instructions.
9. Chronology of events.
10. Statement showing limitation period and last date for filing the appeal.
11. Draft Writ Petition/Appeal/SLP, wherever available.
12. Financial implication statement.
13. Any other document considered relevant.