

PCE, CAO/C, PCPO

No.2024/LC/Misc./08

New Delhi, dated 03.07.2024

The General Managers
All Zonal Railways,
(including Production Units)
Chairman/Railway Recruitment Boards.

SDGM
SrL.O
Rup
04/07

Sub:-Procedure to be followed to act upon notices regarding presence of Respondents before Special Lok Adalat of Hon'ble Supreme Court.

One of the cases was referred to Central Agency Section(CAS), Supreme Court, New Delhi for seeking guidance on the handling of notices regarding presence of Respondents before Special Lok Adalat of Hon'ble Supreme Court for settlement/conciliation between the parties.

2. In response to the above, CAS vide their e-mail dated 26.06.2024 have advised the following procedure to be adopted in all the cases related to Railways referred in various District Courts/Lok Adalats for pre-Lok Adalat sittings:-

"As far as notice received from the District Legal Service Authority for presence of Respondents on 29.6.2024 for Special Lok Adalat, it may be noted that the Supreme Court organises a Special Lok Adalat and several cases are referred for Pre Lok Adalat sitting (as this case is also referred for the same) for the settlement/conciliation between the parties. However, this case has not been transferred for hearing on merits. If the parties fail to reach any settlement/compromise, then the concerned file will automatically be sent back along with a report before the Supreme Court for hearing on merits.

Considering the Notice of Lok Adalat, it would be appropriate that the Department takes a decision whether this case can be settled on the basis of settlement/compromise. If yes, whether the Department is in position to provide the reliefs claimed in the prayer made in the above mentioned case by the petitioner? It would be better if the Department goes with this decision and authorises an officer to inform and give consent for settlement of the case.

If the Department does not intend to settle this or any other matter in Lok Adalat, then a letter informing the concerned Secretary of Lok Adalat..., be forwarded and a responsible officer should also attend and provide this information/instruction to the concerned Lok Adalat that the Department does not intend to give consent to settle this case in Lok Adalat and wants the Supreme Court to decide it on merits. Because the question of law involved in the case and the Supreme Court has already issued notice to decide it on merit.

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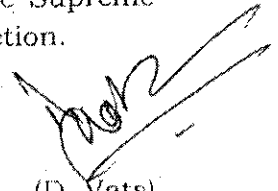
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Thereafter the case will be heard by the Supreme Court on merits.

The same procedure may be adopted in all the cases related to Railways referred in various district courts/Lok Adalats for pre-Lok Adalat sittings."

3. In light of the aforementioned, it is advised that action on the notices concerning presence of Respondents before Special Lok Adalats of Hon'ble Supreme Court is to be taken as per the procedure advised by the Central Agency Section.



(D. Vats)

Joint Director/Legal
Railway Board

Copy to: Jt. Secretary (Mon.), Jt. Secretary (Gaz.), DS/E(O)1-(CC) – Railway Board