

27426/CA 51

O/o Secretary (MA)  
Receipt Received on dt. 26/6  
FTS No./Date.....

File No. N-17/10/2018-NM  
Government of India  
Ministry of Law and Justice  
Department of Justice

O/o, JS (KCS)  
File Received on dt. 27.6.18  
From...*Secy (MA)*...*12.05.18*

Jaisalmer House  
26, Mansingh Road, New Delhi-110011  
Dated: the 13<sup>th</sup> June, 2018

**OFFICE MEMORANDUM**

**Subject: Judgement dated 28.03.2018 in Criminal Appeal No. 1375-1376 of 2013 passed by Hon`ble Supreme Court of India.**

Sir,

This Department has received a copy of Judgement dated 28.03.2018 in Criminal Appeal No. 1375-1376 of 2013 passed by Hon`ble Supreme Court of India, through the Office of Hon`ble Prime Minister for forwarding to all concerned.

The implication of the aforesaid judgment is that where any action by a development agency or an enforcement agency, as the case may be, was stayed by a court of law, the same shall stand vacated automatically at the expiry of 6 months from the date of the order i.e. 28.03.2018, unless the same is extended by a speaking order. Further, the judgment casts a responsibility on the court granting stay that the speaking order must show that the case was of such exceptional nature that continuing the stay was more important than having the trial finalized. Also, in such cases where the stay is extended, the trial court has been directed to fix a date not beyond six months of the order of stay so that on expiry of period of stay, proceedings can commence.

The judgment of Hon`ble Supreme Court can be accessed at [https://sci.gov.in/supremecourt/2011/27580/27580\\_Judgement\\_28-Mar-2018.pdf](https://sci.gov.in/supremecourt/2011/27580/27580_Judgement_28-Mar-2018.pdf).

*3101/PS(149)  
2.07.18*

*Secy (MA) to be circulated to HCOs, all our offices etc and Agms through the network nationally.*

*27/06/18  
DSCC) - OL  
US(C)*

*Giridhar G Pai*  
(Giridhar G Pai)  
Director  
Ph. 23072145

Secretary  
Ministry of Minority Affairs  
11th Floor, Paryavaran Bhawan, CGO Complex, New Delhi - 110003

Copy to: - Under Secretary (JI), Department of Justice for uploading on portal w.r.t PMO ID No. 4827311/PMO/2018-Pol dated 24.04.2018.

*It related to coordination of court cases handled in waqf Div. Therefore, it may be sent to waqf Div.*

*DSCC) - on leave  
JS(C)  
DSCC)*

*US(C)  
Consultant*

*27.6.18*