



File No.:FS/O/Sectt/CSS/7S-106/2013

No. : 1577

Dated: 25/04/2025

ORDER

“Monitoring Court cases and Ensuring Better Representation in Courts’ relating to the cases of the Food & Supplies Department, Govt. of West Bengal

Sub: Monitoring of Court Cases.

The sharp rise in the number of cases both at the Hon’ble High Court and the Hon’ble WBAT is a pointer due to the lack of co-ordination amongst different Cells of this Department and all the Directorates, District Controllers/ DDRs and Sub-Divisional Controllers/ ROs under this Department. Lapses have been observed regarding submission of Statements of Facts Vis-à-vis Instructions/ para-wise reply etc. to the concerned I.d. State Advocates in time through special messenger or e-mail.

For the purpose of proper monitoring of the Court Cases, every Cell of this Department and the Directorates under this Department and every District Controller/ DDR and Sub-Divisional Controller/ RO, shall take suitable action so that no court case/grievance/ petition remains unattended by the concerned stake-holders/ State-respondents.

Following guideline shall be strictly followed for monitoring court cases:

1. After receiving the communication from the HCCMC (High Court Case Monitoring Cell) i.e. SARTIAC; about any Writ Petition or receiving physical copy of the Writ petition of the High Court or Original Application of the WBAT through post, as the case may be, it will be endorsed to various Cells or to the Directorates, by the Law cell of this Department, or in the event that if any Cell of this Department or any Office of the Directorates or the O/o the DCFs’ or SCFs’, have received the writ petitions or original applications etc. directly through post, as the case may be, they shall prepare the SF/ instructions/ para-wise reply etc subsequently at the earliest for onward transmission of the same to the I.d. State Advocates. Action taken reports or filing of replies shall be done through the Law Cell of this Department. The SF/ Instruction should be signed with name, designation and date on each page, if sent in hard copy. If sent in soft copy, it shall be sent by the Official e-mail ID of the Office to the Official e-mail ID of the recipient or

to the Ld. State Advocate, as the case may be. A copy of the same should also be sent to Law Cell of the Directorates/ Departments.

2. No court case of the Department/Directorates shall be kept unattended without being taking proper steps and provide necessary instructions to the Ld. State Advocates engaged therein promptly. Henceforth, the Writ Petitions & Court Cases should be distributed properly to the concerned/ respective Cells/Directorates/Districts/Sub-Divisions etc without any delay. In that case, the concerned Cell/ Directorates/ DCF&Ss/ SCF&Ss/ R.Os and DDRs will be accountable for any adverse action from Courts or the WBAT, as the case may be, for taking no steps in time to defend the State-respondents.
3. The SCFS/DCFS/JDR/DDPS/DR/Cell-in-charges, as the case may be, should update the State Lawyer(s) about all the subsequent developments in respect of a petition.
4. While mailing statement of facts or parawise reply to the State Lawyers, respondents should take care to attach all relied upon documents for better appreciation and representation of the case. For example, in a writ petition alleging denial of the opportunity of being heard, copies of the notice for hearing and note sheet evidencing the participation of the petitioner in hearing may be attached.
5. It helps the State Lawyers to defend cases better if the impugned orders clearly mention the specific legal requirements which a petitioner failed to fulfill. Imprecise expressions such as 'failed to produce the relevant documents' should be avoided.
6. If any Order (final/ interim) is passed against any of the State-Respondents, it should be complied with within the stipulated period of time, if the appeal is not preferred against the said order within due/ stipulated time.
7. Such action of disposal of the representation/ application/ petition may be taken, even if a writ petition has been filed before the Court of law, as per provisions of law/ rules/ orders, etc. unless the Hon'ble Court has issued a specific order or interim injunction or interim order of stay, as the case may be.



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Annexure –I

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