

## **STANDARD OPERATING PROCEDURES OF MOST FOR LITIGATION**

1. As soon as notice from any court of law is received, copies of petition/case shall be obtained from the concerned court.
  2. After receiving the copies/annexures the reply shall be drafted by the concerned Organization.
  3. The approval of the competent authority shall be sought and the case shall be forwarded to M/o Law and Justice for vetting the reply, seeking their concurrence and nomination of DAG/Standing Counsel etc. to contest the case on behalf of FoP.
  4. In case where any organization under MoST is exclusively made a respondent it shall plead its case with the prior concurrence of Ministry by hiring services of a suitable counsel as per standing instructions of Law and Justice Division.
  5. The DAG/Standing Counsel nominated by Law and Justice Division shall be briefed about the case, who shall provide the legal assistance and check the para-wise comments prior to submission to the court.
  6. A brief duly typed shall be provided to the nominated counsel enabling him to understand the case and contest it properly, however, if any document is required to the counsel, it shall be responsibility of the concerned organization/MoST to provide the same within the shortest possible time.
  7. In case any adverse order is passed against MoST or the Organization, it shall immediately be brought into the notice of the DAG/Standing Counsel for his further advice and if he suggests to file any appeal against the adverse order it shall be filed with his consultation within due course of time.
  8. The daily/weekly cause list of the courts shall be checked by the focal person of the concerned Organizations.
  9. In case, any adjournment is to be sought, the concerned DAG/Standing Counsel shall be intimated in writing to furnish a request in the court.
  10. All the government court cases in lower as well as superior courts shall be pursued vigilantly so as to avoid any complication, especially the cases where recovery of government dues, if any is involved.
  11. When there would be any special or complex issue pointed out in any court case, the matter shall be brought into the notice of the Legal Cell, M/o Science & Technology (MoST), which shall decide further course of action with the approval of Secretary, MoST.
  12. The General Section of MoST shall provide the official vehicle on urgent basis as and when required in connection with the Court cases. Moreover, the expenditure involved in obtaining certified copies, photocopies of orders, annexures and other precedents from the courts shall immediately be paid out of the relevant head of account.
  13. Any other unforeseen issue if arises the Legal Cell shall take appropriate action as required.
-