

STANDARD OPERATING PROCEDURE (SOP) REGARDING
CONTESTING/PLEADING COURT CASES

In order to streamline procedure of contesting/pleading the court cases by the department, the Surveyor General of Pakistan has desired to adopt following necessary measures/steps:

1. Upon receipt of Court's Notice/Summons by Dtes or its Unit/Offices, Director concerned shall forward well prepared and comprehensive Parawise comments, alongwith attested/legible copies of all supporting documents. Keeping in view the time line given in the Notice/Summon.
2. The Legal Section (SGO), after receipt of draft Parawise comments shall submit the Parawise comments to Law & Justice Division for vetting and nomination of Govt. Counsel, through Ministry of Defence.
3. The Legal Section (SGO), with the approval of the competent authority shall nominate an officer (s) as Departmental Representative (s), not below the Rank of BS-17. Director concerned & Deptt. Rep. shall make liaison with nominated Govt. Counsel for filing comments and necessary preparation for arguments, one day before the date of hearing.
4. The concerned Deputy Surveyor General will attend the proceedings in the Supreme Court of Pakistan alongwith nominated Deptt. Rep.
5. The concerned Directors will attend the proceedings in the High Courts alongwith nominated Deptt. Rep.
6. In case of SGO (Admin wing), Chief Administrative Officer will attend the High Courts alongwith nominated Deptt. Rep.
7. Directors concerned/Deptt. Rep. will ensure that nominated Govt. Counsel shall argue in the court on the basis of comments duly vetted by Law & Justice Division.
8. A written response by Departmental Representative duly approved by DSG/Director will be submitted, after each hearing of the case, giving the summary of the proceedings, decision and directives of the court.
9. Departmental Representative will also comment on Counsel's approach and likely recommendation of the case/court.
10. A brief history of each case including all activities in the Hon'able Court will be prepared and updated regularly by concerned office.
11. Monthly update through return shall be provided by each directorate by 10th of each month.
12. Unless so authorized by the Head of the department in written, Director concerned/Deptt. Rep. will not make a conceding statement or allow a consent order to be made.

13. As for as possible, Departmental Rep. will not be changed for a case.
14. In case, it is unavoidable to continue the Rep., old Rep. will brief the new Rep. and a certificate of handing / taking over will be signed by both (Format of certificate attached).
15. In case a Departmental Rep. is found to have failed the departmental adequately, didn't take interest or gave wrong Statement, he will be liable to be punished as per Government Servants (Efficiency & Discipline) Rules, 1973.
16. As soon as a case is decided, particularly when the decision is against to the department, Departmental Representatives shall apply for certified copies of judgment and decree-sheet as the case may be. On receipt of Judgment/decree, Director concerned/Deptt. Rep. will obtain advice/legal point of view from the Govt. Counsel regarding filing review petition/CPLA. Thereafter, Director concerned/Deptt. Rep. will duty bound to prepare and submit draft petition/CPLA within 07 days from the date of judgment.
17. In case of violation of SOP's, Director concerned/Deptt. Rep will be personally responsible and liable to be dealt under the existing rules.
18. For compliance as executive orders.
19. It supersedes this office letter No. 17/52-D-Court/General, dated 08.03.2019.

Authority:- SGO letter No. 08/52-D-Court/General. dated 16th January, 2020.