

**Government of Jammu and Kashmir**  
**Department of Law, Justice and Parliamentary Affairs**  
**Civil Secretariat ,Srinagar.**

Subject: Furnishing of certificate with fee claims for cases dismissed in default.

**Circular No:11-JK(LD) OF 2021**


**Dated:- 11.11.2021**

It has come to the notice of Department that the Government Counsels are raising fee claims in cases which are being dismissed in default by the Hon'ble Court(s) for want of prosecution from the other side, however, multiple such cases on an application moved by the concerned party are being restored by the Hon'ble Court(s) for adjudication and the said fact is not being conveyed to the department by the Government Counsels.

Such an action is in violation of the standing orders governing the terms and conditions of Law Officers and results in duplicity of fee claims in a single case.

As such, in order to plug such practice, it is enjoined upon all the Law Officers representing their assigned department(s) before the Hon'ble Court(s) that the 2<sup>nd</sup> half Counsel fee bill in cases dismissed in default by the Hon'ble Court(s) for want of prosecution shall necessarily accompany a certificate authenticating that no application for restoration of the said case has been filed by the other side and in cases where the application for restoration is pending, the 2<sup>nd</sup> half counsel fee shall be settled at the final disposal of the case, as the case may be.

By Order

  
11/11/21

Additional Secretary to Government

**Department of Law, Justice and Parliamentary Affairs**

No.LAW-LIT7/358/2021-10

Dated.11.11.2021

**Copy for information to :-**

1. All Officers of the Department of Law, Justice and PA.
2. All Law Officers representing the Government.
3. Private Secretary to Ld Advocate General, J&K.
4. Private Secretary to Secretary Law.
5. All Record Keepers of the Department of Law, Justice and PA.
6. Circular file.
7. Concerned file.
8. Incharge website.