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**(2003) 02 AHC CK 0171**

**Allahabad High Court**

**Case No:** C.M.W.P. No. 32383 of 2001

Ram Ashray Singh and Others

APPELLANT

Vs

State of U.P. and Others

RESPONDENT

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**Date of Decision:** Feb. 27, 2003

**Acts Referred:**

- Constitution of India, 1950 - Article 226

**Citation:** (2003) 5 AWC 3771

**Hon'ble Judges:** Prakash Krishna, J; M. Katju, J

**Bench:** Division Bench

**Advocate:** Mangala Prasad Rai and Ashok Kumar Rai, for the Appellant;

**Final Decision:** Allowed

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### **Judgement**

@JUDGMENTTAG-ORDER

M. Katju, J.

Three weeks and no more further time is granted to learned standing counsel to the file counter-affidavit.

List immediately thereafter.

It is made clear that no further time will be granted.

2. It has come to our notice in many cases that despite stop orders passed by this Court, counter-affidavits are not filed. This is very unfortunate and in fact it goes against the interest of the Government or the Respondent authority, as the writ petition will have to be decided on an ex parte version. We direct that whenever stop orders are passed by this Court, it must immediately be communicated by learned standing counsel to the Law Secretary of the U.P. Government, apart from communicating it to the authority concerned, and it will be the duty of the Law Secretary to see to it that counter-affidavit is filed in such cases otherwise the interest of the State or the authority concerned will suffer.

3. The learned standing counsel is directed to send a copy of this order forthwith to the Law Secretary, U. P., the learned Advocate General, U.P. and Chief Standing Counsels both at Lucknow and Allahabad as well as the senior standing counsel of the Central Government.