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No 202/4/36/ACQ/CC/DE

Govt of India, Min of Def
Dte General of Defence Estates
West Block-4, R.K. Puram
New Delhi-110066, 95 July, 1994

To

The Director, DE
Central Command
Lucknow

Sub : ARBITRATION CASE NO 3/93 MD. AFZAL AND OTHERS
VS UOI AND OTHERS ARISEN OUT IN LA CASE NO 5/70
/71 OF VILLAGE LALLGANJ, DIPATOLI CAMP RANCHI
CONNECTED WITH WRIT NO. 2242 OF 1991 (R)

Reference DEO, Danapore letter No BTH/20035/ACQ/Arb/11/16
dated 05 April, 1994 and your Dte letter No CC/BH/20035/ACQ dated
22 April, 1994. 68N 69A

2. The DEO vide para 2(i) of his letter cited under reference has intimated that no counter-affidavit was filed by him in CWJC No 2242 of 1991(R) filed by Mohammad Afzal and other Vs UOI and others in the High Court of Judicature at Patna, Ranchi Branch, Ranchi which means that the CWJC was not defended by him and no expenditure incurred to meet any legal expenses. It is therefore not understood as to why Govt's ex-post-facto sanction to defend the CWJC is required now. The DEO may be asked to clarify the position.

3. Regarding issue of Govt's sanction to defend the Arbitration case No 3/93, no specific sanction to defend such Arbitration/Reference case is necessary and that the expenditure incurred on these cases is to be debited to the cost of acquisition of the projects in question for which sanction of the Central Govt is invariably issued. In this connection, a ~~photo~~ copy of Govt of India, Min of Def letter No 26/383/ACQ/MLC/2475/D(Lands) dated 18-9-63 is sent herewith for your reference and further guidance.

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For Director General
Defence Estates

Copy to :-

DEO
Bihar & Orissa Circle
Danapore Cantonment

: Alongwith a copy of above letter and
for necessary action in this matter

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