

(12)

No. PC-1. 275-S/ACQ/CC/DE
Govt of India, Min of Defence
Dte Gen Defence Estates
West Block-4, RK Puram
New Delhi-66. Feb '89

To

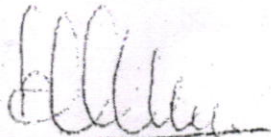
The Director, DE
Ministry of Defence
Central/Southern/Western/Eastern/Northern Command
Lucknow/Pune/Panchkula/Calcutta/Jammu

NIMA
Meerut

Sub: Defence of application filed by the parties
u/s 28A of the LA Act 1894 before the
Collector/SLAO/DM.

.....

Instances have come to our notice where a DEO have engaged Govt Pleaders to defend the applications filed by the interested parties u/s 28A of the LA Act 1894 before the Collector/SLAO/DM for determination of compensation as per the rate awarded by the District Court notwithstanding that they had not made any written application to the Collector/SLAO/DM u/s 18, within three months from the date of award of the court. This practice is not correct and payment of legal fee to the Govt Pleader cannot be sanctioned. Further under the provision of LA Act 1894, the office of the Collector/SLAO/DM are not considered as court. Hence application filed by the parties have to be defended by the DEO/ADEO and position explained to Collector personally. All DEOs/ADEOs should note this for strict compliance.


Director General
Defence Estates

145

Copy to:

The Jt Director, DE
Shillong.

All DEOs/ADEOs.

\$TKS