

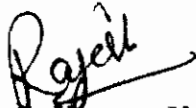
No.39-01/2018-AC  
Government of India  
Ministry of Consumer Affairs, Food & Public Distribution  
Department of Food & Public Distribution

Krishi Bhawan, New Delhi  
The 26<sup>th</sup> June, 2018

OFFICE MEMORANDUM

**Sub: Judgment dated 28.03.2018 in Criminal Appeal No. 1375-1376 of 2013 passed by Hon'ble Supreme Court of India.**

The undersigned is directed to forward a copy of O.M No. N-17/10/2018-NM dated 13<sup>th</sup> June, 2018 received from Department of Justice on the subject cited above for information and compliance.

  
(Rajesh Kumar Yadav)  
Under Secretary (AC)  
Telephone: 23380518

Encl: As above

To,

1. JS (Policy & FCI)
2. JS (Stg. & PG)
3. JS (PD)
4. JS (Sugar & Admin)
5. JS (Impex & IC)
6. EA

Copy also to: CMD (FCI), MD (CWC), MD (CRWC), AS (WDRA), Director NSI, Kanpur, Director IGMRI, Hapur

Serial (ER P)

उपभोक्ता मामले, खाद्य एवं सार्वजनिक  
वितरण मंत्रालय  
(खाद्य एवं सार्वजनिक वितरण विभाग)  
21 JUN 2018  
दफ्तरी संख्या 184604/18  
क्रिस. संख्या/संयुक्त क्र. सं.

File No. N-17/10/2018-NM  
Government of India  
Ministry of Law and Justice  
Department of Justice

Jaisalmer House  
26, Mansingh Road, New Delhi-110011  
Dated: the 13<sup>th</sup> June, 2018

**OFFICE MEMORANDUM**

**Subject: Judgement dated 28.03.2018 in Criminal Appeal No. 1375-1376 of 2013 passed by Hon'ble Supreme Court of India.**

Sir,

This Department has received a copy of Judgement dated 28.03.2018 in Criminal Appeal No. 1375-1376 of 2013 passed by Hon'ble Supreme Court of India, through the Office of Hon'ble Prime Minister for forwarding to all concerned.

The implication of the aforesaid judgment is that where any action by a development agency or an enforcement agency, as the case may be, was stayed by a court of law, the same shall stand vacated automatically at the expiry of 6 months from the date of the order i.e. 28.03.2018, unless the same is extended by a speaking order. Further, the judgment casts a responsibility on the court granting stay that the speaking order must show that the case was of such exceptional nature that continuing the stay was more important than having the trial finalized. Also, in such cases where the stay is extended, the trial court has been directed to fix a date not beyond six months of the order of stay so that on expiry of period of stay, proceedings can commence.

The judgment of Hon'ble Supreme Court can be accessed at [https://sci.gov.in/supremecourt/2011/27580/27580\\_Judgement\\_28-Mar-2018.pdf](https://sci.gov.in/supremecourt/2011/27580/27580_Judgement_28-Mar-2018.pdf).

mp' 20/6

SSK(A)

Circulate to all

Suman  
22/06/18

DS[A]  
22/6  
us(p/c)

(Giridhar G Pai)  
Director  
Ph. 23072145

Secretary  
Department of Food and Public Distribution  
Room No. 169, Krishi Bhawan,  
New Delhi - 110001

Copy to: - Under Secretary (JI), Department of Justice for uploading on portal w.r.t PMO ID No. 4827311/PMO/2018-Pol dated 24.04.2018.

25/6/18  
SO (Ae)

25/6  
SM. Michael