

Stay – Wherever stay is granted, a speaking order must be passed showing that the case was of exceptional nature and delay on account of stay will not prejudice the interest of speedy trial in a corruption case – Once stay is granted, proceedings should not be adjourned and concluded within two-three months – It is well accepted that delay in a criminal trial, particularly in the PC Act cases, has deleterious effect on the administration of justice in which the society has a vital interest – Delay in trials affects the faith in Rule of Law and efficacy of the legal system – It affects social welfare and development – Even in civil or tax cases it has been laid down that power to grant stay has to be exercised with restraint – Mere *prima facie* case is not enough – Party seeking stay must be put to terms and stay should not be incentive to delay – The order granting stay must show application of mind – The power to grant stay is coupled with accountability.

[ASIAN RESURFACING OF ROAD AGENCY PVT. LTD. V. CENTRAL BUREAU OF INVESTIGATION, 2018 SCej 688](#)