

**SC 128 OF 2013**

**Order no. 118 Dated 10/01/2018**

Today is fixed for production of the accused persons namely Devendra Sharma and Pemba Tshering Ola and progress report from Executive Engineer, Kolkata, IT Division, PWD.

Accused 1) Subhash Tamang, 2) Prasant Chhettri @ Yogen, 3) Asish Tamang, 4) Sudesh Rai Majhi, 5) Sunil Rai, 6) Tilak Rai, 7) Babita Ganguly, 8) Dinesh Gurung @ Karate Kaila, 9) Dawa Sangey Sherpa, 10) Suraj Singh, 11) Nagendra Pradhan, 12) Kesar Rai, 13) Arun Moktan, 14) Sanjay Tamang, 15) Bhanu Rai, 16) Kamal Singha, 17) Tenzing Khambache, 18) Amol Lama, 19) Smt. Sona Sherpa, 20) Naresh Rai, 21) Alok Kanta Mani Thulung @ Rai, 22) Kesav Raj Pokhrel, 23) Puran Thami, 24) Kismat Chhettri, 25) Binoy Tamang, 26) Dinesh Theeng, 27) Urmila Rumba, 28) Smt. Sushma Rai, 29) Sandhya Gurung, 30) Goutam Tamang, 31) Anita Lakhandri, 32) Ruden Sada Lepcha, 33) Edwin Sanchabir Subba, 34) Khagen Tamang, 35) Kabita Dahal, 36) Ranjit Rai, 37) Rabin Subba, 38) Roshan Giri, 39) Asha Gurung, 40) Pravi Subba, 41) Col. Ramesh Alley, 42) Dipen Malay, 43) Harka Bahadur Chettri, 44) Pradeep @ Bhupendra Pradhan are absent.

Ld. Advocates for the above named accused persons filed four petitions under section 317 Cr.P.C., praying for permission to represent the accused persons.

Ld. Spl. P.P on behalf of State is present by filing hazira.

One telemex report is received from the Superintendent of Special Correctional Home, Siliguri vide no. ORG No. 409/AB dated 09.01.2018 regarding non-production of the accused persons namely, Devendra Sharma and Pemba Tshering @ Ola on the ground they have produced before the Ld. Siliguri Court in connection with another case today.

Let it be kept with the record.

The Superintendent of Special Correctional Home, Siliguri is hereby directed to produce the accused persons namely, Devendra Sharma and Pemba Tshering @ Ola before this court on 13.02.2018 positively.

Accused Jiten Tamang is found absent on repeated calls. It is now 12 p.m.

None take steps on behalf of accused Jiten Tamang. Accordingly, sureties be directed to produce the accused before this court on the date fixed positively i.d. necessary order.

Ld. Advocate for the defacto complainant Bharati Tamang wife of deceased Madan Tamang is present by filing hazira and files a Xerox copy of the Hon'ble Apex Court's order dated 12/12/2017 passed in Spl. (CrI) No. 9541-9546/2017 (II-B) that “ **Accordingly, the trial of Sessions case no. 128/2013, before the Chief Judge, City Sessions Court, Calcutta will stand stayed, till the next date of hearing**”.

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**Continued order no. 118 Dated 10/01/2018**

One letter being memo no. 2155 dated 19.12.2017 has been received from the Executive Engineer, IT Division, P.W.D, Writer's Building, Kolkata is taken up for consideration.

It has been stated in the said letter that as this office is yet to get the detailed Technical and commercial proposal for the aforesaid project, it is once again requested to expedite the arrangement for submission of the complete proposal for the same with top priority so as to meet the above deadline without fail.

Accordingly, Executive Engineer, IT Division, PWD, Kolkata should take necessary steps for completion of the requirements of installation of video conferencing system both at Calcutta and Darjeeling as expeditiously for compliance of the direction passed by the Hon'ble Apex Court and to submit a report on 13.02.2018.

Todate i.e 13.02.2018 for production of the accused persons namely Devendra Sharma and Pemba Tshering Ola, awaiting further order from the Hon'ble Apex Court and report.

Let the copy of the order sheet be sent to the Executive Engineer, IT Division, PWD, Kolkata and The Superintendent of Special Correctional Home, Siliguri for information and necessary action.

D/C. by me.

Chief Judge,  
City Sessions Court, Calcutta.

Chief Judge,  
City Sessions Court, Calcutta.