

**Court No. - 41**

**Case :-** CRIMINAL APPEAL No. - 1156 of 1990

**Appellant :-** Mahesh Rawat And Others

**Respondent :-** State

**Counsel for Appellant :-** P.N. Mishra, V.K. Shukla

**Counsel for Respondent :-** A.G.A.

**Hon'ble Rajesh Dayal Khare, J.**

**Hon'ble Rajiv Gupta, J.**

It has been intimated to the Court that Sri V.K. Shukla, learned counsel for the appellants was elevated to this bench and has since been retired and Sri P.N. Mishra, learned counsel for the appellant has since expired.

Record of the present case also reflects that the trial Court record has not yet been summoned.

Accordingly, let notice be issued to the appellants for engaging another counsel returnable within a period of three weeks and the record of the trial Court be also summoned within the aforesaid period. Thereafter, office is directed to prepare paper book within two weeks.

In the meantime, concerned Chief Judicial Magistrate is directed to submit its report with regard to the status of the appellants as to whether the appellants are alive or dead by the next date of listing.

List after expiry of aforesaid period for hearing.

It is made clear that in case, none appears on behalf of the appellants by the next date of listing, the Court would be left with no option but to appoint Amicus Curiae to argue the appeal on behalf of the appellants as the appeal is of the year 1990.

**Order Date :-** 14.3.2018

KU