

Court No. - 34

Case :- CRIMINAL APPEAL No. - 2159 of 1984

Appellant :- Wazid & Others

Respondent :- State Of U.P.

Counsel for Appellant :- T.Rathore

Counsel for Respondent :- A.G.A.

Hon'ble Sudhir Agarwal,J.

Hon'ble Mrs. Vijay Lakshmi,J.

1. On 07.02.2018 this Court passed following order:

"The appeal was admitted on 08.08.1984 and the appellants were released on bail. The order sheet reveals that the office of this Court has not summoned the record from the lower court.

In Criminal Appeal No. 2184 of 1984 (Sant Ram & Another vs. State of U.P.), on similar facts, this Court has issued the following directions:-

"Having due regard to the facts of large number of the cases which are listed before this Court, we issue following directions:

(i) Registrar General of this Court shall within ten days issue a direction upon the concerned official of this Court to send the requisition for summoning the records of all the admitted criminal appeals upto the year 2000 within four weeks.

(ii) A circular be issued to all the concerned Sessions Judge/Chief Judicial Magistrates to send the records of the aforesaid admitted criminal appeals pursuant to the requisition sent by this Court within two weeks."

In this case also, we order accordingly.

Chief Judicial Magistrate, Ghaziabad is directed to send a report whether appellants are alive or not within three weeks from the date of receipt of this order in terms of the circulars issued by this Court from time to time.

It is stated at the Bar that Sri T. Rathore, learned counsel for the appellants, is no more.

Office is directed to send notice to the appellants returnable within three weeks to engage another counsel.

List after three weeks.

Office shall send a copy of this order by Fax to the District Judge/C.J.M., Ghaziabad for communication and compliance of this order within three

days.”

2. Report of Chief Judicial Magistrate, Ghaziabad is still awaited. More than five months have already passed.
3. Let Chief Judicial Magistrate, Ghaziabad be informed to submit report in compliance of this Court's order dated 07.02.2018 positively by 06.08.2018, failing which he shall appear in person before this Court on 07.08.2018.
4. List this matter on 07.08.2018.
5. A copy of this order shall be sent to Chief Judicial Magistrate, Ghaziabad by FAX positively by tomorrow.

Order Date :- 20.7.2018

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