

Court No. - 34

Case :- CRIMINAL APPEAL No. - 1955 of 1987

Appellant :- Raghuraj

Respondent :- State Of U.P.

Hon'ble Sudhir Agarwal,J.

Hon'ble Om Prakash-VII,J.

1. Chief Judicial Magistrate, Banda vide letter dated 21.07.2018 has informed that Appellant-1, Raghuraj Singh; Appellant-4, Mukhram Singh; Appellant-5, Shivraj; and, Appellant-6, Chunna Singh have died. This report has been submitted after making inquiry as per this Court's Circular dated 18.01.2017. The appeal, therefore, stands abated in respect of Appellants-1, 4, 5 and 6.

2. Appellants-2 and 3 have been serviced with notice but neither they are present through counsel nor in person. Since appeal itself is not ready for hearing, therefore, we find it difficult to proceed against Appellants-2 and 3 for ensuring their presence.

3. We are informed that record of Court below has not been received. It is very surprising that without summoning record of Court below, appeal is being listed before the Court for hearing, though it is contrary to requirement of Rules.

4. Office shall strictly comply with Rules and list the cases only when they are ripe up for hearing in terms of Chapter XVIII Rule 41 of Allahabad High Court Rules, 1952.

Order Date :- 1.8.2018

AK