

Court No. - 64

Case :- JAIL APPEAL No. - 679 of 1988

Appellant :- Bhoora

Respondent :- State of U.P.

Counsel for Appellant :- From Jail, Archana Singh

Counsel for Respondent :- A.G.A.

with

Case :- CRIMINAL APPEAL No. - 2082 of 1985

Appellant :- Gulam Navi @ Rampuria

Respondent :- State of U.P.

Counsel for Appellant :- V.P.Srivastava, Prem Shanker Tiwari

Counsel for Respondent :- A.G.A.

Hon'ble Samit Gopal, J.

1. List revised.

2. Ms. Archana Singh, learned Amicus Curiae appears on behalf of Bhoora in jail appeal on his bail. Sri Prem Shanker Tiwari, learned panel lawyer of the High Court Legal Services Committee who has been appointed to represent the appellant in the appeal of co-accused Gulam Navi @ Rampuria is not present even in the revised list. The hearing thus of the present appeal cannot proceed since the said accused stands unrepresented.

3. On 08.04.2024 the following order was passed by this Court in criminal appeal of co-accused Gulam Navi @ Rampuria:

"1. List revised.

2. Sri Prem Shanker Tiwari, learned panel lawyer of High Court Legal Services Committee is not present. Sri Ramesh Shukla, learned counsel for the State is present.

3. Previously on 13.9.2023 and 26.2.2024, Sri Tiwari was not present and today again he is not present even when the matter has been taken up in the revised list. The Secretary High Court Legal Services Committee to ensure that Sri Tiwari appears before the Court on the next date for arguments.

4. Let the matter be listed on 23.04.2024."

4. The records of the said appeal show that a copy of the order has been provided by the office to the High Court Legal Services

Committee as reported in its report dated 22.04.2024 and also the report shows that the same has been received by the Section Officer concerned of the High Court Legal Services Committee on 12.04.2024. Despite the same Sri Prem Shanker Tiwari has not appeared today even in the revised list.

5. In view of the said fact, this Court disengages Sri Prem Shanker Tiwari the panel lawyer of the High Court Legal Services Committee from the present case and appoints Ms. Archana Singh as Amicus Curiae to represent the accused Gulam Navi @ Rampuria. Office to communicate this order to the said accused through the CJM concerned, who shall send his report within two weeks.

6. Office shall communicate this order to the Secretary High Court Legal Services Committee who shall ensure that since the conduct of Sri Tiwari goes to show that he is not seriously and diligently perusing the matters allotted to him, his appointment, engagement/allotment may be considered twice before allotting him any matter.

7. On the next date, office shall print the name of Ms. Archana Singh as Amicus Curiae in the connected appeal of co-accused Gulam Navi @ Rampuria.

8. The paper book of the matter is ready.

9. Learned Amicus Curiae Ms. Archana Singh submits that she has obtained the copy of the same from the office.

10. Let the matter be listed on 16.10.2024 for final hearing along with connected matter.

Order Date :- 23.9.2024

M. ARIF

(Samit Gopal, J.)