

Listed on : . .2014

Court No. :

Item :

SECTION-II

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL (CRL.) NO. 2763 OF 2014

SUBIR DUTTA ... Petitioner(s)

VERSUS

THE STATE OF TRIPURA ... Respondent(s)

OFFICE REPORT

It is submitted that an application for exemption from surrendering (Crl. Misc. Petition No. 1169 of 2014) was listed before the Hon'ble Judge in Chambers on 23rd March, 2014 when His Lordship was pleased to pass the following order :

"This Court on 27th January, 2014 had passed the following order:

"The prayer for exemption from surrendering is rejected. However, the petitioner is granted four weeks' time to surrender and file proof thereof.

List before the appropriate bench."

Despite the aforesaid order the proof of surrender has not yet been filed. Mr. Avijit Bhattacharjee, learned counsel for the petitioner prays for some more time so that the petitioner can surrender in the custody, I am not inclined to extend the period. Therefore, I am of the considered opinion that the petitioner is not inclined to prosecute the special leave petition. Accordingly, the special leave petition stands dismissed.

However, if the petitioner surrenders to custody and moves an application for restoration of the special leave petition it shall be considered."

It is submitted that Counsel for the Petitioner has on 12th September, 2014 filed the applications for restoration and condonation of delay in filing application for restoration with proof of surrender. The said applications were registered as

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Criminal Misc. Petition Nos. 21077 & 21080 of 2014 and listed before the Hon'ble Judge in Chambers 17th November, 2014 when His Lordship was pleased to pass the following order :

"Delay in filing application for restoration is condoned.

Application for restoration is allowed.

The Special Leave Petition is restored to its original number.

Post after one week before the appropriate Bench."

The matter above-mentioned are listed before the Hon'ble Court with this office report.

DATED this the 20th day of November, 2014.

COPY TO:

Mr. Avijit Bhattacharjee, Advocate
420, New Lawyer's Chambers, S.C.I., N.D.

ASSISTANT REGISTRAR

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