

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl) No(s).441-442/2012

(From the judgement and order dated 01/11/2011 in MC No.593/2010 MC No.286/2011 in CRLA No.323/2008 of The HIGH COURT OF ORISSA AT CUTTACK)

MOHD.AYUB KHAN @ YUNUS KHAN Petitioner(s)

VERSUS

STATE OF ORISSA Respondent(s)

(With office report)

Date: 04/04/2012 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE T.S. THAKUR
HON'BLE MRS. JUSTICE GYAN SUDHA MISRA

For Petitioner(s) Mr. B.S.Randhawa, Adv.
Mr. Debasis Misra,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
O R D E R

Heard.

We see no reason to interfere with the order passed by the High Court. The special leave petition is dismissed.

Mr. B.S.Randhawa, learned counsel for the petitioner, however, submits that the appeal filed by the petitioner is not being heard by the High Court despite a request made by this Court in terms of order dated 13.11.2009, a copy whereof has been placed on record by the petitioner. In terms of the copies of the interim orders filed by the petitioner we find that the appeal has been listed for hearing from time to time and was even heard in part. The same was

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listed for hearing again on 25.08.2010 and 22.09.2011 when Mr. Randhawa, learned counsel for the petitioner prayed for an adjournment. It may not, therefore, be correct to suggest that the High Court is avoiding to hear the matter despite a request made by us. Be that as it may, we grant liberty to the petitioner to approach the High Court for an early hearing of the appeal in terms of the orders already made in the matter. We hope and trust that if such a request is made, the High Court would take up the appeal at an early date.

Court Master

Court Master