

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

BEFORE THE REGISTRAR S.G. SHAH

Petition(s) for Special Leave to Appeal (Crl) No(s).3396/2006

(From the judgement and order dated 08/07/2005 in CRLA No. 251/2004  
of The HIGH COURT OF KARNATAKA AT BANGALORE)

INDIRA Petitioner(s)

VERSUS

STATE OF KARNATAKA Respondent(s)

(With appln(s) for bail and office report )

Date: 26/09/2006 This Petition was called on for hearing today.

For Petitioner(s) Mr. Shekhar G. Devasa,Adv.  
Mr. Rajesh A. Dubey,Adv.  
Mr. D. Dubey,Adv.  
Mr. Dinesh Kumar Garg,Adv.

For Respondent(s)

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

Learned counsel Mr. Shekhar G., appearing on behalf of Mr. Dinesh Kumar Garg, learned counsel for the petitioner states that petitioner is in jail and therefore, he wants the matter to be listed before the Hon'ble Court at the earliest. Hon'ble Court has initially by an Order dated 7.7.2006 passed an order to issue notice to the other side after the petitioner surrendered before the competent authority as per Court's Order dated 3.2.2006. Thereupon, office has

issued notice to the respondent, State of Karnataka on 2.8.2006. Such notice is not received back from the serving agency being a private courier company either served or unserved.

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On 5.9.2006, an order for fresh notice to the sole respondent and for listing the matter on 12.9.2006 was passed by this Court. Unfortunately, petitioner had not supplied the copies of the pleadings till 12.9.2006 and therefore, matter was again listed before this Court when time was granted upto 19.9.2006 for supplying additional copy of pleadings for issuance of fresh notice as per Order dated 5.9.2006.

The matter was again listed on 19.9.2006, when presuming that proper notice must have been served in between, matter was ordered to be listed on 25.9.2006 awaiting service.

Thereafter, the matter is listed today but the fact remains that respondent, State of Karnataka is yet to be served.

Today learned counsel Mr. Shekhar G., appearing on behalf of Mr. Dinesh Kumar Garg, learned counsel for the petitioner states that he has served Mr. Sanjay R. Hegde, Standing Counsel for the State of Karnataka and she has shown an affidavit in support of such service. But, original affidavit is not found on record which is stated to be affirmed on 20.9.2006 stating that Deponent has served the notice to the standing counsel for the State of Karnataka namely Mr. Sanjay R. Hegde. It is stated that sheet of index with endorsement of Mr. Sanjay R. Hegde, Standing Counsel for the State of Karnataka annexed with such affidavit is placed on

record on 20.9.2006 but it is not found on record.

Petitioner is directed to take appropriate steps to see that original affidavit is placed on record before 28.9.2006. List the matter on 28.9.2006.

(S.G.SHAH)

Registrar