

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL (CRL.) NO.6743 OF 2009

WITH

CRIMINAL MISCELLANEOUS PETITION NOS.13867 AND 15436 OF 2009

(Applications for condonation of delay in filing SLP and stay)

COMPETENT AUTHORITY ... Petitioner

VERSUS

DR.RAJESH KUMAR GUPTA AND ORS. ... Respondents

OFFICE REPORT

The Applications for vacation of stay and impleadment in the matter above-mentioned were listed before the the Hon'ble Court on 23.03.2012 when the Court was pleased to pass the following order:

"This application (Crl. MP. No. 10248/2011) has been filed for vacation of the interim order passed by this Court dated 4.9.2009 in SLP(Crl.)No.6743 of 2009 staying the operation of the impugned judgment of the High Court of Uttaranchal at Nainital dated 23.12.2008 whereby the forfeiture notice issued by the Competent Authority and Administrator, SAFEMA under Section 68-H of the NDPS Act was quashed. The vacation of the interim order has been sought on the ground that the said interim order has resulted in effective freezing of the properties, bank accounts and other assets of the applicant/respondent No.1. Therefore, the respondent is facing great hardship in running the educational institution etc.

After hearing learned counsel for the parties, we do not find any justification to entertain the application. It is accordingly dismissed.

The other application for impleadment (Crl.MP.NO.12225/2011), as a consequence also stands dismissed."

It is submitted that there are three respondents and Service of Show Cause Notice on all the three respondents is complete.

Mr. Neeraj Gupta, Advocate is representing respondent No.1 and has filed Counter Affidavit. Copy of the Counter Affidavit is included at page Nos.179 to 215 for kind perusal of the Hon'ble Court.

Mr. J.K. Bhatia, Advocate is representing respondent

Nos.2 and 3 and has filed Counter Affidavit. Copy of the Counter Affidavit is included at page Nos.172 to 178 for kind perusal of the Hon'ble Court.

The matter above mentioned alongwith connected matters is listed before the Hon'ble Court with this office report.

DATED this the 14th day of July, 2014.

ASSISTANT REGISTRAR

COPY TO:

1. Mr. Niraj Gupta, Advocate
2. Mr. B.K. Prasad, Advocate
3. Mr. J.K. Bhatia, Advocate

ASSISTANT REGISTRAR

***MKR/sk-II***