

Listed on : 06.01.2015

Court No. :

Item :

SECTION-II

**IN THE SUPREME COURT OF INDIA**  
**CRIMINAL APPELLATE JURISDICTION**

**PETITION FOR SPECIAL LEAVE TO APPEAL (CRL) NOS. 3894-3895 OF 2013**

Naseem ... Petitioner(s)

VERSUS

State of Uttaranchal Etc. ... Respondent(s)

**OFFICE REPORT**

The matters above mentioned were listed before the Hon'ble Court on 22<sup>nd</sup> April, 2013 when the Court was pleased to pass the following order:

**"Permission to file SLP is granted.  
Exemption from filing O.T. is allowed.  
Issue notice."**

Accordingly Show Cause Notice was issued to all the four Respondents in both the above mentioned matters through registered post A.D. on 14<sup>th</sup> May, 2013.

Mr. Chanchal K. Ganguli, Advocate has on 10<sup>th</sup> July, 2013 filed Vakalatnama/Appearance on behalf of Respondent Nos. 1 & 2 in SLP (Crl.)No. 3895 of 2013.

Neither A.D. card nor Unserved cover containing the notice has been received back from common Respondent/State in each the above mentioned matter.

The matters above mentioned were listed before the Court of Registrar on 20<sup>th</sup> August, 2014 when the following order was passed:

**"The learned counsel for the petitioner seeks and is given one weeks' time for filing the affidavit in proof of dasti service of notice already issued to the respondent No.1 in SLP (Crl.)No. 3894/2013.**

**List again on 22.9.2014."**

Cont....2/-

:2:

SLP (Cr1.)Nos. 3894-3895/2013

It is submitted that Counsel for the Petitioner has filed proof of serving the dasti notice to Mr. Mukesh K. Giri, Standing Counsel for the State of Uttarakhand but no one has entered appearance on behalf of common Respondent/State, so far.

The matters above mentioned were listed before the Court of Registrar on 22<sup>nd</sup> September, 2014 when the following order was passed :

**"SLP(Cr1.) No.3894/2013**

The office report indicates that service of notice is complete on the sole respondent but no one has entered appearance on his behalf. Viewed thus, the matter shall be processed for listing before the Hon'ble Court under the rules.

**SLP(Cr1.) No.3895/2013**

What gets revealed from the perusal of the file is that although two opportunities have already been given to the respondent Nos. 1 and 2 for filing the counter affidavit, yet they have not done the needful so far. Therefore no further opportunity is warranted to be given to them on that count taking into consideration the rule position.

The office report proceeds to state that service of notice is complete on the respondent No.3 but no one has entered appearance on his behalf. Viewed thus, the matter shall be processed for listing before the Hon'ble Court under the rules."

Accordingly, the matters above-mentioned are listed before the Hon'ble Court with this office report.

DATED this the 5th day of January, 2015.

ASSISTANT REGISTRAR

COPY TO:M/s. Equity Lex Associates, Advocates  
011, M.C. Setalvad Chambers  
Mr. Chanchal K. Ganguli, Advocate  
16, New Lawyer's Chambers, S.C.I., N.D.

cl/dk

ASSISTANT REGISTRAR