

ITEM NO.9

COURT NO.4

SECTION IIB

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

Petition(s) for Special Leave to Appeal (Crl.) No(s). 2746/2013

(Arising out of impugned final judgment and order dated 14/12/2012 in CRLMC No. 4115/2011 passed by the High Court of Kerala at Ernakulam)

BALAKRISHNA MENON

Petitioner(s)

VERSUS

MOHD. ABDUL KAREEM FAISAL & ANR.

Respondent(s)

(Office Report on Default)

Date : 09/08/2016 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE UDAY UMESH LALIT
[IN CHAMBER]

For Petitioner(s) Mr. Arun Kumar Beriwal, AOR

For Respondent(s) Mr. P. V. Dinesh, AOR
Ms. Sindhu T.P., Adv.

Mr. G. Prakash, Adv.
Mr. Jishnu M.L., Adv.
Ms. Priyanka Prakash, Adv.
Ms. Beena Prakash, Adv.

Ms. Bina Madhavan, AOR

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

On 12.4.2013, the following order was passed by the Court :

"Issue notice.

Further proceedings in Cr.M.P. No.859 of 2011 pending before the Judicial Magistrate First Class II, Perintalmana, Kerala, shall remain stayed."

The learned counsel, who was then appearing for the petitioner has since been appointed as Additional Sessions Judge.

Consequently, notice was issued by the Registry of this Court to the petitioner to make alternative arrangements. However, the service of such notice could not be effected upon the petitioner. The matter was thereafter listed before the learned Registrar of this Court on 10.07.2014 and lastly on 15.09.2014, when the following order was passed by the Registrar :

"Service report pertaining to alternative arrangement has been received with the remarks that the appellant has shifted to some other place.

Let the matter be listed before the Hon'ble Judge in Chambers."

Thereafter, the matter was listed before the Chamber Judge on 04.03.2016 when fresh notices were ordered to be issued to the sole petitioner for making alternative arrangements. The notices sent by speed post have since been received back with postal remarks 'addressee not available'.

In the circumstances, the special leave petition is dismissed for non-prosecution.

(Gulshan Kumar Arora)
Court Master

(H.S. Parasher)
Court Master