

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

CRIMINAL APPEAL NO(s). 1269 OF 2007

BEFORE THE REGISTRAR H.B. PRABHAKARA SASTRY

STATE OF RAJASTHAN

Appellant (s)

VERSUS

SUKH CHAND &amp; ANR.

Respondent(s)

(With office report )

Date: 08/09/2011 This Appeal was called on for hearing today.

For Appellant(s)

Ms Archana Pathak Dave, Adv.  
Mr. Milind Kumar, Adv.

For Respondent(s)

Mr. Rajesh, Adv.

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

The ld. Counsel for the appellant present.

On a perusal of the office report and the proceeding dated 28.7.2011 it is found that file was found misplaced and was not traceable in this matter. In proceeding dated 28.7.2011 this Court had directed the office to follow up the matter and trace and submit. Despite that file has not been placed before the Court. On the other hand office has given a vague reply stating that duplicate file is under construction.

When a file is stated to be misplaced or lost, preparation of a duplicate file is not the only solution as a matter of right. Concerned official who is responsible for loss or misplacement of the file is required to be held responsible

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for loss or misplacement of the file. If no action is taken against the erring official it not only causes inconvenience to the litigants and advocates by the delay caused in the matter

but also the erring official may think that they would be safe after the loss of the file. Therefore, place this observation before the concerned Registrar of the particular section and it is for the concerned Registrar to take appropriate action, if found necessary, in this matter against the concerned officials.

The development in the matter be brought to the notice of the Registrar's Court. After the preparation of file is complete, since the matter is of the year 2007, process the matter for pre-final hearing.

List again on 9.11.2011.

(H.B. PRABHAKARA SASTRY)  
REGISTRAR

hj