

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

Miscellaneous Application No. 1445 of 2020 in  
Special Leave Petition (Cr1.) No. 1586/2014

NARAYAN MANDAL

Petitioner(s)

VERSUS

THE STATE OF BIHAR

Respondent(s)

(APPLICATION FOR SEEKING RECALL OF THE ORDER DATED 10.02.2014 AND  
RESTORATION OF THE SLP.

IA No. 45541/2020 - CONDONATION OF DELAY IN FILING PROOF OF  
SURRENDER

IA No. 45544/2020 - EXEMPTION FROM FILING O.T.

IA No. 45537/2020 - RECALLING THE COURTS ORDER)

Date : 05-10-2020 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE HRISHIKESH ROY  
[IN CHAMBER]

For Petitioner(s) Mr. Mansoor Ali, Adv.  
Mr. Bankey Bihari Sharma, AOR

For Respondent(s)

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

Mr. Mansoor Ali, the learned counsel submits that the  
Cr1. M.P. No.19184/2013 was an application for exemption from  
surrendering that was taken up on 10.02.2014 but unfortunately  
petitioner's counsel was absent on that date. The Court then  
referred to the Office Report dated 22.01.2014 and observed that  
the petitioner has not filed proof of surrender in pursuant to  
the earlier order dated 20.09.2013 and accordingly the Special  
Leave petition itself was dismissed.

...2/-

The learned counsel refers to the Custody Certificate of the Superintendent of the Central Jail, Purnea (Annexure-`P1') which indicates that the petitioner (*Narayan Mandal*) is incarcerated in Jail since 18.11.2013. It is, therefore, pointed out that the order passed by this Court on 10.02.2014 and 20.09.2013 was the result of an erroneous perception that the convict is at large.

In view of the above projection, since the dismissal order was passed in the year 2014, notice be issued to the Standing Counsel for the State of Bihar. Matter be posted after three weeks.

(RAJNI MUKHI)  
COURT MASTER (SH)

(DIPTI KHURANA)  
COURT MASTER (NSH)