

Listed on :
Court No. :
Item :

SECTION-II

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL (CRL.) NO. 2986 OF 2015

WITH

CRIMINAL MISCELLANEOUS PETITION NO. 6501 OF 2015

(Application for bring on record Additional Facts and documents)

Srinivasan Iyengar & Anr. ... Petitioner(s)

VERSUS

Bimla Devi Agarwal & Ors. ... Respondent(s)

AND

PETITION FOR SPECIAL LEAVE TO APPEAL (CRL.) NO. 2990 OF 2015

WITH

CRIMINAL MISCELLANEOUS PETITION NO. 6510 OF 2015 & 13408,13409 and 13410 of 2016

(Application for bring on record Additional Facts and documents and for Additional documents, exemption to file typed copy of documents and bring on record Additional Facts and documents)

Reliance Life Insurance Co. Ltd. ... Petitioner(s)

VERSUS

Bimla Devi Agarwal & Ors. ... Respondent(s)

OFFICE REPORT

The matters above mentioned were listed before the Hon'ble Court on 17.04.2015 when the Court was pleased to pass the following order :

"Heard.

Subject to the petitioners depositing a sum of Rs. 3,75,000/- (Three Lakh seventy five thousand) in this Court to be utilised, if necessary, for awarding costs to the respondents, notice shall issue in both the special leave petitions to the respondents, returnable within six weeks. Deposit to be made within four weeks from today.

Proceedings before the Court of Judicial Magistrate, Ist Class, Tinsukia, Assam, in C.R. Case No. 42(C) of 2014 shall remain stayed, until further orders from this Court."

It is submitted that pursuant to order quoted above, Counsel for Petitioner has deposited Rs. 3,75,000/- in this Registry & Same has been invested in FDR. The next date of maturity is on

Contd..2/-

30.11.2016.

It is also submitted that upon deposit of amount in question, Show Cause Notice returnable on 3.7.2015 was issued to all the Respondent in both the matters through Registered Post AD.

SLP (Cr1.)No. 2986 of 2015

There are four Respondents.

Mr. Kunal Chatterji, Advocate has filed Vakalatnama on behalf of Respondent Nos. 1 & 2 but he has not filed counter affidavit.

No one has entered Vakalatnama on behalf of Respondent No.3 despite completion of service as A.D. card duly signed has been received back.

Mr. Arjun Garg, Advocate has filed vakalatnama on behalf of Respondent No. 4 but he has not filed Counter Affidavit.

Service of Show Cause is complete but no one has entered Vakalatnama on behalf of Respondent No. 3/State.

SLP (Cr1.)No. 2990 of 2015

There are five Respondents.

Mr. Kunal Chatterji, Advocate has filed Vakalatnama on behalf of Respondent Nos. 1 & 2 but he has not filed Counter Affidavit.

Counsel for the Petitioner has filed affidavit of dasti service in respect of Respondent No. 3 in compliance of order dated 11.02.2016 passed by Court of Registrar, but no one has entered Vakalatnama on behalf of him, so far.

Mr. Arjun Garg, Advocate has filed vakalatnama on behalf of Respondent Nos. 4 & 5 but he has not filed counter affidavit.

Service is complete but no one has entered Vakalatnama on behalf of Respondent No. 3.

The matters above-mentioned were listed before the Court of Registrar from time to time and lastly listed on 29.06.2016, when following order was passed:

"SLP(Crl.) NO. 2986/2015

The respondent Nos. 1,2 & 4 have failed to file the counter affidavit within the period stipulated under the rules.

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 as per rules.

SLP(Crl.) No. 2990/2015

The respondent Nos. 1 & 2 have failed to file the counter affidavit within the period stipulated under the rules. The respondent Nos. 4 & 5 do not wish to file the counter affidavit. 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 as per Rules."

It is submitted that Mr. Kunal Chatterji, Advocate for Respondent Nos. 1 & 2 has on 12.8.2016 filed application for filing additional documents alongwith an application for exemption to file typed copy of document. The said applications have been registered as 13408/2016 & 13409/2016 respectively(Copy of Same is Circulated herewith for kind perusal of Hon'ble Court)

It is lastly submitted that M/s. Parekh & Co., Advocate for the Petitioner has on 12.8.2016 filed an application to bring on record additional facts and documents which has been registered as 13410/2016. (Copy of the same has been circulated herewith for kind perusal of the Hon'ble Court).

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

DATED this the 12th day of August, 2016.

ASSISTANT REGISTRAR

COPY TO: 1.M/s. Parekh & Co., Advocates
134, Lawyer's Chambers, S.C.I., N.D.

2 Mr. Kunar Chatterji, Advocate

3. Mr. Arjun Garg, Advocate

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C3/Rohit

ASSISTANT REGISTRAR