

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

CRIMINAL MISCELLANEOUS PETITION NO.1224 OF 2013

(Application for seeking leave to appeal)

IN

CRIMINAL APPEAL NO. 1207 OF 2013

UNION OF INDIA & ORS.

... Appellant(s)

VERSUS

PARMINDER SINGH & ANR

... Respondent(s)

OFFICE REPORT FOR DIRECTIONS

The appeal above mentioned was listed before the Hon'ble Court on **19.08.2013** when the Court was pleased to pass the following order:

"Issue notice on the applications seeking condonation of delay as well as on the appeals."

Accordingly Show Cause Notice was issued to both Respondents. Mr. Bharat Sangal, Advocate has filed Vakalatnama/Appearance on behalf of Respondent No.1. Neither A.D.Card nor unserved registered cover has been received from Respondent No.2. The matter was listed before the Court of Registrar time to time and lastly listed on 04.12.2014 when the following order was passed:

"The office report states that although by order dated 17.09.2014 of this Court, three weeks time as last chance was given to the Id.counsel for the petitioners to take fresh steps for the service of notice to the unserved respondent No.1, yet he has not done the needful so far. Viewed in that context, the matter shall be processed for listing before the Hon'ble Judge in Chambers for further future directions. Await orders and list thereafter."

Accordingly, the matter above mentioned was listed before the Hon'ble Judge-in-Chambers on 16.2.2015 when His Lordship was pleased to pass the following order:

"The learned counsel for the appellant is allowed further three weeks' time to file death certificate in respect of Respondent No.1."

It is submitted that Counsel for the Appellant has filed an affidavit stating therein that Respondent No.1 is alive but he has not taken any steps for serving the show cause notice on Respondent No.2 (Proforma Respondent) and matter was listed before the Court of Registrar on 6.5.2015 when the following

order was passed:

"The office report indicates that by Order dated 16.02.2015 of the Hon'ble Judge in Chamber, the Learned Counsel for the appellants was allowed three weeks' time to file death certificate in respect of Respondent No.1. The learned Counsel for the appellants has now filed an affidavit stating therein that the Respondent No.1 is alive. In case this was the position, the Learned Counsel ought to have taken fresh steps for the service of notice to the said respondent which he has failed to take. Therefore the matter shall be processed for listing before the Hon'ble Judge in Chamber for further future directions. Await orders and list thereafter."

The matter was listed before the Court of Registrar regarding non-serving the show cause notice on Respondent No.2 (proforma Respondent) on 6.8.2015 when the following order was passed:

"The office report is that the Ld.counsel for the respondent No.1 has already filed the counter affidavit.

Fresh steps for the service of notice by usual mode to the unserved respondent No.2 shall be taken by the Ld.counsel for the petitioners within a period of three weeks. Dasti in addition is permitted to be served through the Ld.Standing counsel representing the State of Punjab.

List the matter again on 16.10.2015."

Accordingly, show cause notice was given to the Advocate for the Appellant for dasti service. Counsel for the Appellant has filed affidavit of dasti service.

Service of show cause notice is complete. Respondent No.1 is represented by Mr. Bharat Sangal, Advocate but no one has entered appearance on behalf of Respondent No.2.

The appeal above mentioned and application for seeking condonation of delay in seeking leave to appeal are listed before the Hon'ble Court with this office report.

DATED this the 23rd day of September, 2015.

ASSISTANT REGISTRAR

COPY TO:

1. Mr. B.V. Balram Das, Advocate
Central Agency, Supreme Court of India
2. Mr. Bharat Sangal, Advocate
206, New Lawyers Chambers, S.C.I, N.D

ASSISTANT REGISTRAR