

IN THE SUPREME COURT OF INDIA
CRIMINAL ORIGINAL JURISDICTION

WRIT PETITION (CRL.) NO. 99 OF 2015

(UNDER ARTICLE 32 OF THE CONSTITUTION OF INDIA)

WITH

CRIMINAL MISC. PETITION NO. 10142 OF 2015

(APPLICATION FOR STAY THE PROCEEDING)

AND

CRIMINAL MISC. PETITION NO. 10713 OF 2015

(APPLICATION FOR INTERIM RELIEF)

PRADYUMAN BISHT

...PETITIONER

-VERSUS-

UNION OF INDIA & ORS.

...RESPONDENTS

OFFICE - REPORT

The Writ Petition above-mentioned was listed before the Hon'ble Court on 10.08.2015 with office report dated 07.08.2015, when the Court was pleased to pass the following order:

**"Permission to appear and argue in person is granted.
Issue notice."**

It is submitted that pursuant to the aforesaid order, show cause notice was issued to all the seven respondents through registered A.D. on 17.08.2015. Mr. B.V. Balaram Das and Mr. Mohan Kumar, Advocates have on 13.01.2016 and 10.12.2015 filed vakalatnama/appearance on behalf of respondent nos. 1 and 6-7 respectively but they have not filed counter affidavit so far. Mr. Rajiv Nanda, Advocate has on 22.09.2015 filed vakalatnama/appearance on behalf of respondent nos. 2 & 3 and he has also on 12.03.2016 filed reply affidavit on behalf of respondent no. 2 only (copy of the reply affidavit has been included in the paper book). A.D. cards duly signed have been received back in respect of respondent nos. 4 and 5 but no one has entered appearance so far.

It is further submitted that Mr. B.K. Prasad, Advocate has on 17.03.2016 filed vakalatnama/appearance and application for deletion of respondent no. 1. The application was registered as Crl.M.P.No. 6086 of 2016 and listed before the Hon'ble Judge-in-Chambers on 09.05.2016, when His Lordship was pleased to pass the following orders:

**"Crl.M.P.No.6086/2016 for deletion of the name of
Respondent is rejected."**

It is further submitted that the Writ Petition above-mentioned was listed before the Court of Registrar from time to time and was lastly listed on 08.09.2016, when the following order was passed:

"Respondent no.1 is granted four weeks time as last opportunity for filing counter affidavit.

Respondent nos. 2 and 3 have already filed counter affidavit.

None appears for respondent nos. 4 and 5 despite due service.

Opportunity to respondent nos. 6 and 7 to file counter affidavit has already been declined.

Registry immediately thereafter to process the matter for being listed before the Hon'ble Court irrespective of the fact whether counter affidavit is filed or not, as further opportunity is declined."

It is submitted that pursuant to the aforesaid order, no counter affidavit has been filed on behalf of respondent no. 1 so far.

It is submitted that notice of hearing for listing of the matter on 06.02.2017 was issued to the petitioner-in-person by speed post as well as e-mail on 06.01.2017 and the same has been delivered on 14.01.2017 as per the tracking information of the postal authorities.

Service of notice is complete.

The writ petition along with applications above-mentioned is listed before the Hon'ble Court with this office report.

Dated this the 3rd day of February, 2017.

ASSISTANT REGISTRAR

Copy to:

Mr. Pradyuman Bisht, Petitioner-in-person

Mr. Rajiv Nanda, Advocate

Mr. Mohan Kumar, Advocate

Mr. B.K. Prasad, Advocate

ASSISTANT REGISTRAR