

**SECTION-IIB**  
**IN THE SUPREME COURT OF INDIA**  
**CRIMINAL APPELLATE JURISDICTION**

**PETITION FOR SPECIAL LEAVE TO APPEAL (CRL.) NOS. 9485-9486 OF 2009**

STATE OF HIMACHAL PRADESH . . . . Petitioner  
VERSUS  
RAMESH LAL & ANR. . . . Respondents

**OFFICE REPORT FOR DIRECTION**

The matter above mentioned was listed before the Hon'ble Court on 18.12.2009, when the Court was pleased to pass the following order:

**"Issue notice."**

Accordingly, Show Cause Notice was issued to the Respondents through Regd. A.D. Post in both the matters.

It is submitted that Mr. Anil Srivastava, Advocate has on 30.11.2010 filed Vakalatnama/Appearance on behalf of the sole respondent in SLP (Crl.) No. 9485/2009.

It is further submitted that unserved cover, containing show cause notice, sent to the sole respondent in SLP (Crl.) No. 9486/2009 at his Nepal address, was received back unserved with the postal remarks, "incomplete address".

It is further submitted that since the service of the show cause notice could not be effected on sole Respondent in SLP (Crl.) No. 9486/2009, the matter above mentioned was listed before the Court of Registrar from time to time and lastly Office Report on Default was listed before the Hon'ble Judge in Chambers on 05.08.2015, when His lordship was pleased to pass the following order:

**"As a last chance, three weeks' time is granted to the learned counsel for the petitioner to comply with the Office Report dated 23<sup>rd</sup> July, 2015, failing which the special leave petition (Crl.) No.9486 of 2009 shall stand dismissed without further reference to the Court."**

It is submitted that pursuant to this Court's Order quoted above, Counsel for the Petitioner on 26.08.2015 had partly taken fresh steps by filing one spare copy of Special Leave Petition within time, but without latest & correct address of unserved sole respondent.

It may be mentioned here that as per the guidelines of the Ministry of Home Affairs, authorities in Nepal require the details of

matter in a prescribed format to be filled in Nepali language with seal & signature of Magistrate. Therefore, Counsel for the Petitioner was also requested to file the same vide this Registry's letter dated 26.11.2015 as the sole respondent in SLP (CrI.) No. 9486/2009 is resident of Nepal, but Counsel has not filed the said format alongwith latest & correct address of the said sole respondent so far. As a result of which, Show Cause Notice in respect of sole respondent could not be sent to Ministry of Home Affairs for service on the sole respondent in SLP (CrI.) No. 9486/2009.

Service of Show Cause Notice is, therefore, incomplete in respect of sole respondent in SLP (CrI.) No. 9486/2009.

The Office Report for Direction is listed before the Hon'ble Judge in Chambers.

DATED this the 15<sup>th</sup> day of February, 2016.

ASSISTANT REGISTRAR

COPY TO:

1. Ms. Pragati Neekhara, Advocate
2. Mr. Anil Shrivastava, Advocate

ASSISTANT REGISTRAR

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