

S U P R E M E      C O U R T   O F      I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).12981/2008  
(From the judgement and order dated 19/03/2008 in CMWP  
No. 12660/2008 of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

NAHAR SINGH YADAV & ANR.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With appln. for intervention and permission to place  
addl. documents on record)

WITH

W.P.(C) No. 306/2008

(with appln. for interim directions and exem. from filing O.T. and  
amendment of prayer portion and c/delay in filing appln. for  
amendment and intervention)

SLP(C) No....CC 12571/2008

(For permission to file SLP and office report)

Date: 04/08/2010 These Petitions were called on for hearing today.

CORAM :

HON'BLE Mr. JUSTICE D.K. JAIN  
HON'BLE MR. JUSTICE V.S. SIRPURKAR  
HON'BLE MR. JUSTICE G.S. SINGHVI

For Petitioner(s)

Mr. K.C. Kaushik, Adv.  
Mr. Braj Kishore Mishra, Adv.  
Ms. Aparna Jha, Adv.  
Mr. Abhishek Yadav, Adv.  
Mr. Ranvir Singh, Adv.

Mr. Prashant Bhushan, Adv.  
Mr. Rohit Kumar Singh, Adv.  
Mr. Sumeet Sharma, Adv.  
Mr. Banoo Sood, Adv.  
Mr. Rohit Kumar Singh,

Mr. Viplav Sharma, in-person (NP)

..2/-

: 2 :

For Respondent(s)

Mr. G.E.Vahanvati, A.G.  
Mr. Chinmoy Pradip Sharma, Adv.  
Mr. T.A. Khan, Adv.  
Mrs. Anil Katiyar, adv.  
Mr. B. Krishna Prasad, Adv

Mr. Manoj Kumar Dwivedi, Adv.  
Mr. Ashutosh Sharma, Adv.  
Mr. Gunnam Venkateswara Rao, Adv.

Mr. Vishwajit Singh, Adv.

Mr. Ashok K.Srivastava, Adv.

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

An affidavit has been filed on behalf of the C.B.I. setting out additional reasons for transfer of the trial from CBI Court, Ghaziabad, to some other place outside Ghaziabad. Along with the affidavit, a list of accused persons, named in the charge-sheet has also been filed. Notice shall issue to all the said persons to show cause as to why the trial, arising out of R.C.-1(A)/2008/CBI/ACB/Ghaziabad, be not transferred from the Court of Special Judge, CBI at Ghaziabad to some other competent Court, preferably, under the jurisdiction of the Delhi High Court. Let notice also issue to the District Judge, Ghaziabad to respond to the affidavit filed by

..3/-

: 3 :

Mr. Nirbhay Kumar, Head of CBI Branch at Ghaziabad on 30th July, 2010. Mr. A.K. Srivastava, has put in appearance on behalf of the District Judge. A copy of the affidavit has been supplied to him in Court. Response to the said affidavit shall be filed by the District Judge within four weeks.

As prayed, let viscera of late Ashutosh Asthana be returned to the District Police, Ghaziabad, for being disposed of in accordance with law.

List after four weeks.

[ Charanjeet Kaur ]  
Court Master

[ N.B. Dhyani ]  
Court Master