

SECTION II

MATTER FOR :25.1.2017

COURT NO. :

ITEM NO. :

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

**PETITION FOR SPECIAL LEAVE TO APPEAL (CRIMINAL) No.6628 of 2013**

Prashant Jain

...Petitioner

VERSUS

Gajendra Sharma @ Rajendra Mehta & Anr

...Respondents

**OFFICE REPORT**

The matter above-mentioned was listed before the Hon'ble Court on 12.8.2013, when the following order was passed:

**"Permission to file the special leave petition is granted.  
Delay condoned.  
Issue notice."**

It is submitted that there are two respondents in the matter above-mentioned.

Accordingly notice was issued to the both the respondents on 17.09.2013 through registered A.D.Post but unserved cover containing show cause notice has been received back in respect of respondent No. 1 with postal remarks **"Addressee is not available."**

It is submitted that Ms. Ruchi Kohli, Advocate has filed vakalatnama and counter affidavit on behalf of respondent No. 2/State.

It is further submitted that due to non filing of fresh particulars of respondent no. 1 as directed by Ld.Registrar by its Order dated 21.11.2014 matter above-mentioned was listed before Hon'ble Judge in Chamber on 12.01.2015; when the following order was passed:

**"Persued the office Report on default  
In case the steps as reported in the office report are not taken within four weeks from today, the special leave petition qua respondent No.1 shall stand dismissed.  
The petitioner is free to take notice dasti."**

It is further submitted that due to non-compliance of above-mentioned order matter was dismissed qua respondent No. 1 and subsequently application for restoration was filed by the counsel for the petitioner and application was listed before Hon'ble Judge in Chamber on 06.04.2015, when the following Orders was passed:

**"Crl.M.P. for restoration of the special leave petition qua respondent No. 1 is allowed and the special leave petition is restored to its original number qua respondent No. 1."**

It is further submitted matter is restored to original number in respect of respondent No. 1 and the matter was listed before Ld.Registar Court on 18.8.2015, when the following order was passed:

**"Ld. Counsel for the petitioner shall within a period of four weeks file the fresh particulars of the respondent No. 1 and he shall also take fresh steps for the service of notice to him within the same period. Dasti in addition is permitted to be served. The respondent No. 2 has already filed the counter affidavit as gets revealed from ther persual of the office report.  
List the matter again on 04.11.2015."**

It is further submitted that pursuant to orders quoted above show cause notice along with dasti was issued through trial Court to the respondent No. 1 on 19.04.2016. An unserved cover containing show cause notice has been received back in respect of respndent No. 1 with postal remarks **"Addressee not resides here"** and counsel for the petitioner also not filed proof of dasti service so far. Subsequeuntly matter was listed before Ld.Registar Court on 01.09.2016, when the following Order was passed:

**Ld. Counsel for the petitioner has failed to file the dasti proof in respect of Respondent No. 1 despite opportunities Viewed in that context, the matter shall be processed for listing before the Hon'ble Judge in Chambers for further future directions. Await orders. List thereafter."**

It is further submitted that as per order quoted above the matter above-mentioned was listed before Hon'ble Judge in Chambers on 20.09.2016,16.11.2016 and 09.01.2017, when the following order was passed respectively:

**20.09.2016**

**None appears for the petitioner.**

**One months' time is granted to the petitioner to ensure compliance of the office report."**

16.11.2016

None appears.

In the interest of justice let fresh steps be taken for issuance of notice to Respondent No. 1 through the concerned trial Court returnable in six weeks."

09.01.2017

As service of show cause notice is incomplete on respondent No. 1. Service is awaited.

Post the matter after four weeks if the service is still incomplete on respondent No.1."

Service report from the trial court in respect of respondent No. 1 and proof of dasti service from the counsel for the petitioner is awaited.

Service of show cause notice is incomplete on Respondent No.1. and complete on respondent No. 2.

The matter above-mentioned is listed before the Hon'ble Court with this Office Report.

DATED THIS THE 24th DAY OF January, 2017.

ASSISTANT REGISTRAR

Copy to : Mr. Ankolekar Gurudatta Advocate  
Ms. Ruchi Kohli, Advocate

ASSISTANT REGISTRAR

It is submitted that show cause notice with returnable date of 06.01.2017 along with letter to trial court to serve the notice to respondent No. 1 was issued through registered A.D.post on 09.12.2016.

Service report from the trial court in respect of respondent No. 1 is awaited.

Service of show cause notice is incomplete on Respondent No.1. and complete on respondent No. 2.

The Office Report in the matter above-mentioned is listed before the Hon'ble Chamber Judge.

SECTION II

MATTER FOR :16.11.2016  
COURT NO. : 12  
ITEM NO. : 8

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

**PETITION FOR SPECIAL LEAVE TO APPEAL (CRIMINAL) No.6628 of 2013**

Prashant Jain

...Petitioner

VERSUS

Gajendra Sharma @ Rajendra Mehta & Anr

...Respondents

**OFFICE REPORT FOR DIRECTIONS**

The matter above-mentioned was listed before the Hon'ble Judge in Chambers on 20.09.2016, when the following order was passed:

**"None appears for the petitioner.  
One months' time is granted to the petitioner to ensure  
compliance of the office report."**

It is submitted that counsel for the petitioner did not file the proof of dasti service in respect of respondent No. 1 so far and the time granted by the Hon'ble Court expires on 19.10.2016.

Service of show cause notice is incomplete on Respondent No.1. and complete on respondent No. 2.

The Office Report in the matter above-mentioned is listed before the Hon'ble Chamber Judge.

DATED THIS THE 20th DAY OF October, 2016.

ASSISTANT REGISTRAR

Copy to :Mr.Ankolekar Gurudatta Advocate  
Ms.Ruchi Kohli, Advocate

ASSISTANT REGISTRAR

SECTION II

MATTER FOR :  
COURT NO. :  
ITEM NO. :

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

**PETITION FOR SPECIAL LEAVE TO APPEAL(CRIMINAL) No.6628 of 2013**

Prashant Jain

...Petitioner

VERSUS

Gajendra Sharma @ Rajendra Mehta & Anr

...Respondents

**OFFICE REPORT FOR DIRECTIONS**

The matter above-mentioned was listed before the Hon'ble Court on 12.08.2013, when the following order was passed:

**"Permission to file the special leave petition is granted.  
Delay condoned.  
Issue notice."**

Accordingly notice was issued to the both the respondents on 17.09.2013 through registered A.D.Post but neither A.D.Card nor unserved cover containing show cause notice has been received back in respect of respondent No. 1 so far.

It is submitted that Ms. Ruchi Kohli, Advocate has filed vakalatnama on behalf of respondent No. 2/State.

It is further submitted that due to non filing of fresh particulars of respondent no. 1 as directed by Ld.Registrar by its Order dated 21.11.2014 matter above-mentioned was listed before Hon'ble Judge in Chamber on 12.01.2015;when the following order was passed:

**"Persued the office Report on default  
In case the steps as reported in the office report are not taken within four weeks from today, the special leave petition qua respondent No.1 shall stand dismissed.  
The petitioner is free to take notice dasti."**

It is further submitted that due to non-compliance of above-mentioned order matter was dismissed qua respondent No. 1 and

subsequently application for restoration was filed by the counsel for the petitioner and application was listed before Hon'ble Judge in Chamber on 06.04.2015, when the following Orders was passed:

**"Crl.M.P. for restoration of the special leave petition qua respondent No. 1 is allowed and the special leave petition is restored to its original number qua respondent No. 1."**

It is further submitted that pursuant to orders quoted above show cause notice along with dasti was issued through trial Court to the respondent No. 1 on 19.04.2016. An unserved cover containing show cause notice has been received back in respect of respondent No. 1 with postal remarks **"Addressee not resides here"** and counsel for the petitioner also not filed proof of dasti service so far. Subsequently matter was listed before Ld.Registrar Court on 01.09.2016, when the following Order was passed:

**Ld. Counsel for the petitioner has failed to file the dasti proof in respect of Respondent No. 1 despite opportunities Viewed in that context, the matter shall be processed for listing before the Hon'ble Judge in Chambers for further future directions. Await orders. List thereafter."**

Service of show cause notice is incomplete on Respondent No.1. and complete on respondent No. 2.

The Office Report in the matter above-mentioned is listed before the Hon'ble Chamber Judge.

DATED THIS THE 05th DAY OF September, 2016.

ASSISTANT REGISTRAR

Copy to :Mr.Ankolekar Gurudatta Advocate  
Ms.Ruchi Kohli, Advocate

ASSISTANT REGISTRAR

SECTION II

MATTER FOR : 21.7.2016  
R.COURT NO. : 2  
ITEM NO. : 16

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

**PETITION FOR SPECIAL LEAVE TO APPEAL (CRIMINAL) No.6628 of 2013**

Prashant Jain

...Petitioner

VERSUS

Gajendra Sharma @ Rajendra Mehta & Anr

...Respondents

**OFFICE REPORT**

The matter above-mentioned was listed before the Ld.Registrar Court on 28.04.2016, when the following order was passed:

**"The respondent No. 2 has already filed the counter affidavit.**

**Id.counsel for the petitioner shall within a period of four weeks file the affidavit in proof of dasti service of notice already issued to respondent No. 1.**

**List the matter again on 21.07.2016."**

It is submitted that show cause notice along with dasti was issued through Trial Court to the respondent No. 1 on 19.04.2016, but counsel for the Petitioner has not filed proof of dasti service so far and neither A.D.Card nor unserved cover containing show cause notice has been received back so far.

Service of show cause notice is incomplete on Respondent No.1. and complete on respondent No. 2.

The matter above-mentioned is listed before the Ld.Registrar Court with this office report.

DATED THIS THE 19th DAY OF July, 2016.

ASSISTANT REGISTRAR

Copy to :Mr.Ankolekar Gurudatta Advocate  
Ms.Ruchi Kohli, Advocate

ASSISTANT REGISTRAR

SECTION II

MATTER FOR : 28.04.2016

R.COURT NO. : 2

ITEM NO. : 22

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

**PETITION FOR SPECIAL LEAVE TO APPEAL (CRIMINAL) No.6628 of 2013**

Prashant Jain

...Petitioner

VERSUS

Gajendra Sharma @ Rajendra Mehta & Anr

...Respondents

**OFFICE REPORT**

The matter above-mentioned was listed before the Ld.Registrar Court on 08.03.2016, when the following order was passed:

**"Vide order dated 21.01.2016, Ld.counsel for the petitioner had been directed to take fresh steps in respect of the respondent No.1 through the District Court within four weeks, but the needful has not been done so far. However, two weeks time as last chance is given to the Ld.counsel for the petitioner to comply with the terms of the above order.  
List the matter again on 28.04.2016."**

It is submitted that show cause notice along with dasti was issued through Trial Court to the respondent No. 1 on 19.04.2016.

Service of show cause notice is awaited in respect of Respondent No.1. and complete on respondent No. 2.

The matter above-mentioned is listed before the Ld.Registrar Court with this office report.

DATED THIS THE 26th DAY OF April, 2016.

ASSISTANT REGISTRAR

Copy to :Mr.Ankolekar Gurudatta Advocate  
Ms.Ruchi Kohli, Advocate

SECTION II

MATTER FOR : 08.03.2016  
R.COURT NO. : 2  
ITEM NO. : 11

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

**PETITION FOR SPECIAL LEAVE TO APPEAL(CRIMINAL) No.6628 of 2013**

Prashant Jain

...Petitioner

VERSUS

Gajendra Sharma @ Rajendra Mehta & Anr

...Respondents

**OFFICE REPORT**

The matter above-mentioned was listed before the Ld.Registrar Court on 21st January,2016, when the following order was passed:

**"Ld.counsel for the petitioner has submitted that he is unable to file dasti proof of the respondent No.1 as he is evading service. Hence, Ld.counsel for the petitioner is directed to take fresh steps in respect of respondent No.1 within four weeks. Dasti in addition is permitted to be served through the District Court, the particulars of which shall be furnished by the Ld.counsel for the petitioner within the period provided above.**

**List the matter again on 08.03.2016.."**

It is submitted that counsel for the Petitioner has not filed spare copy and has not provided the address of District Court and thus notice along with dasti was not issued so far.

Service of show cause notice is incomplete on Respondent No.1. and complete on respondent No. 2.

The matter above-mentioned is listed before the Ld.Registrar Court with this office report.

DATED THIS THE 03rd DAY OF March, 2016.

ASSISTANT REGISTRAR

Copy to :Mr.Ankolekar Gurudatta Advocate  
Ms.Ruchi Kohli,Advocate

ASSISTANT REGISTRAR

SECTION II

MATTER FOR : 21.1.2016

R.COURT NO. : 2

ITEM NO. : 37

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

**PETITION FOR SPECIAL LEAVE TO APPEAL (CRIMINAL) No.6628 of 2013**

Prashant Jain

...Petitioner

VERSUS

Gajendra Sharma @ Rajendra Mehta & Anr

...Respondents

**OFFICE REPORT**

The matter above-mentioned was listed before the Ld.Registrar Court on 04th November,2015, when the following order was passed:

**Four weeks time as last chance is given to the Ld.counsel for the petitioner to comply with the terms of the order dated 18.08.2015 of the Court in respect of the respondent No.1.  
List the matter again on 21.1.2016."**

It is submitted that counsel for the Petitioner has on 04.11.2015 filed spare copy and fresh particulars of the respondent No. 1 and accordingly notice along with dasti was issued through registered A.D.Post on 19.11.2015, but neither A.D.Card nor unserved cover containing show cause notice has been recieved back in respect of respondent No. 1 so far.

It is further submitted that counsel for the petitioner has not filed proof of dasti service in respect of respondent No. 1 so

far.

Service of show cause notice is incomplete on Respondent No.1. and complete on respondent No. 2.

The matter above-mentioned is listed before the Ld.Registrar Court with this office report.

DATED THIS THE 19th DAY OF January, 2016.

ASSISTANT REGISTRAR

Copy to :Mr.Ankolekar Gurudatta Advocate  
Ms.Ruchi Kohli, Advocate

ASSISTANT REGISTRAR

SECTION II

MATTER FOR : 04.11.2015  
R.COURT NO. : 2  
ITEM NO. : 23

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

**PETITION FOR SPECIAL LEAVE TO APPEAL(CRIMINAL) No.6628 of 2013**

Prashant Jain

...Petitioner

VERSUS

Gajendra Sharma @ Rajendra Mehta & Anr

...Respondents

**OFFICE REPORT**

The matter above-mentioned was listed before the Ld.Registrar Court on 18th August,2015, when the following order was passed:

**Ld.counsel for the petitioner shall within a period of four weeks file the fresh particulars of the respondent No.1 and he shall also take fresh steps for the service of notice to him within the same period. Dasti in addition is permitted to be served. The respondent No.2 has already filed the counter affidavit as gets revealed from the perusal of the office report. List the matter again on 04.11.2015."**

It is submitted that counsel for the Petitioner has not filed

spare copy and fresh particulars of the respondent No. 1 and hence notice and dasti could not be issued.

Service of show cause notice is incomplete on Respondent No.1.

The matter above-mentioned is listed before the Id.Registrar Court with this office report.

DATED THIS THE 03rd DAY OF November, 2015.

ASSISTANT REGISTRAR

Copy to :**Mr.Ankolekar Gurudatta** Advocate  
Ms.Ruchi Kohli,Advocate

ASSISTANT REGISTRAR