

ITEM NO.2

COURT NO.9

SECTION II

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 (Crl) No(s).4697/2004

(From the judgement and order dated 11/02/2004 in CRLA No. 3967/2003 of The HIGH COURT OF
JUDICATURE AT ALLAHABAD)

AMIT SINGH @ CHINTU & ANR.

Petitioner(s)

VERSUS

STATE OF U.P.

Respondent(s)

WITH SLP(Crl) NO. 4261 of 2004

(With appln(s) for bail)

Date: 26/10/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.P. SINGH

HON'BLE MR. JUSTICE S.B. SINHA

For Petitioner(s) Mr. Imtiaz Ahmed,Adv.

Ms. Nagma Imtiaz,Adv.

Mr. V.N. Raghupathy

Mr. Vishwajit Singh,Adv.

For Respondent(s) Mr. R.K. Singh,Adv.

Ms. Shalini Kumar,Adv.

Mr. Praveen Swarup,Adv.

UPON hearing counsel the Court made the following

O R D E R

By our Order dated 21st September, 2005, we had directed the counsel for the State of Uttar

Pradesh to seek information and to inform the Court as to whether the Juvenile Board as

contemplated by the Juvenile Justice (Care and Protection of Children) Act, 2000 had been

constituted, and if not, which is the body which is presently entrusted with the powers of the Board

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under the Act. Counsel for the State apart from submitting that he has sought instructions, is not in a

position to assist the Court because he has received no instructions. This is rather unfortunate. When

this Court requires information with a view to do justice, it is the duty of the State to furnish all

necessary information through its counsel. If no instruction is given to the counsel, it necessitates

unnecessary adjournment of the matter. We strongly deprecate the attitude of the State of Uttar

Pradesh in not responding to the request of the counsel which was made pursuant to the Order of this

Court dated 21.09.2005.

A prayer is made for further adjournment of the matter to enable the counsel to seek

instructions. Let this matter come up on 16th November, 2005. If the Government does not properly

instruct its counsel before that date, we direct that the legal Remembrance and Principal Law

Secretary of the Government of U.P. shall be personally present before us on 21st November, 2005 to

answer all questions relating to this case.

Let this Order be communicated to the Principal Secretary (Law)
Department of Law,

Government of Uttar Pradesh, Lucknow.

(Ganga Thakur)

PS to Registrar

(Vijay Dhawan)

Court Master