

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)...../2006

CC 7563/2006

(From the judgement and order dated 07/01/2005 in WP No. 977/2004 of The HIGH COURT OF M.P AT JABALPUR AT INDORE BENCH)

STATE OF M.P.

Petitioner(s)

VERSUS

DAULAT SINGH

Respondent(s)

With IA 1 (c/delay in filing SLP and office report)

Date: 13/10/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHAN

HON'BLE MR. JUSTICE DALVEER BHANDARI

For Petitioner(s) Mr. Naveen Sharma, Adv. for

Mr. B.S. Banthia, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following

O R D E R

There is a delay of 399 days in filing the special leave petition.

Although, we would have dismissed the special leave petition on the ground

of delay because no sufficient cause has been shown to condone the delay,

but the counsel for the petitioner prays for withdrawal of special leave

petition reserving liberty with the petitioner to file a writ appeal in the High Court.

Accordingly, the special leave petition is dismissed as withdrawn with liberty to file a writ appeal in the High Court along with an application for condonation of delay and the High Court shall decide the same on its own

merits without noticing this fact that the special leave petition was pending in this Court.

(Parveen Kr. Chawla) (Kanwal Singh)
Court Master Court Master