

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

**CRIMINAL APPEAL NOS.1316-1317 OF 2005**

**WITH**

**CRIMINAL MISCELLANEOUS PETITION NOS.13691-13692 AND  
13468-13469 OF 2015**

(Applications for recall of the order dated 28.01.2013 passed by the Hon'ble Chamber Judge and for setting aside the consequential order dated 25.04.21013 of the Ld. Registrar and for direction)

State of West Bengal ...Appellant(s)

VERSUS

Rabindra Paswan and Ors. ...Respondent(s)

**OFFICE REPORT**

The appeals above mentioned was listed before the Hon'ble Court on 15.07.2015, when the Court was pleased to pass the following Order:

“Pursuant of the order dated 28<sup>th</sup> January, 2013 passed by the Hon'ble Chamber Judge, the learned Registrar has ordered closure of the appeals against the respondent No.5 by order dated 25<sup>th</sup> April, 2013.

It is stated by the learned counsel for the appellant – State that Crl.M.Ps. for accepting substituted service of notice on respondent No.5 being Crl.M.P.Nos.158-159/2012 were already on record on the date when Hon'ble Chamber Judge had passed the order. No order on the said Crl.M.Ps. had been passed. Learned counsel has further submitte4d that all these facts have been incorporated in Crl.M.Ps. that are now being filed for recall of the order of Hon'ble Chamber Judge.

In the above view of the matter, we adjourn the matters for four weeks to enable the learned counsel for the appellant to act accordingly.”

It is submitted that in pursuance of the above quoted order Mr. Anip Sachthey, counsel for the appellant has on 14.08.2015 filed an application for recall of the order dated 28.01.2013 passed by the Hon'ble Chamber Judge and for setting aside the consequential order dated 25.04.2013 of the Registrar with affidavit. The said application has been registered as Criminal Miscellaneous Petition Nos.13691-13692 of 2015.

It is further submitted that Mr. Anip Sachthey counsel for the appellant has also on 10.08.2015 filed an application for directions seeking direction of the

Hon'ble Court for service on Respondent No.5 through Trial Court.

It is submitted that there are six respondents in this appeal. Respondent Nos.1 to 4 is represented by Mr. Shibashish Misra, Advocate.

It is further submitted that counsel for the appellant has filed affidavit of service of notice of lodgment of petition of appeal in respect of Respondent No.6 alongwith proof of service.

It is further submitted appeal against Respondent No.5 is dismissed pursuant to the Order dated 28.01.2013 of the Hon'ble Judge in Chamber.

Service of notice of lodgment of petition of appeal is complete.

It is further submitted that original records pertaining to the High Court and Trial Court have been received and the same are available in the Court Room for the reference of the Hon'ble Court.

The Appeals are ready for hearing pursuant to the order dated 25.04.2013 of the Court of Registrar.

The Appeals with applications above mentioned are listed before the Hon'ble Court with this office report.

DATED this the 17<sup>th</sup> day of August, 2015

ASSISTANT REGISTRAR

Copy to:

1. Mr. Anip Sachthey, Advocate
2. Mr. Shibashish Misra, Advocate

ASSISTANT REGISTRAR