

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGSCRL.M.P. NOS.2078-2079/2011, 20647/2011 AND 20700/2011  
IN  
CRIMINAL APPEAL NO.491 OF 2010

KRISHNA KUMAR PANDEY @ KAKKU PANDEY

Appellant (s)

VERSUS

STATE OF U.P.

Respondent(s)

(For Direction, exemption from filing O.T. and office report)

Date: 19/10/2012 This Matter was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR

HON'BLE MR. JUSTICE J. CHELAMESWAR

For Appellant(s) Ms. Lalita Kaushik,Adv.

For Respondent(s) Mr. Anil Kumar Jha,Adv.

Mr. C.D. Singh,Adv.

Mr. Kamendra Mishra,Adv.

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

Exemption allowed.

Despite several directions which had been given by this Court for disposal of the case pending before the Special Judge [Gangster Cases], Faizabad, Uttar Pradesh, it appears from the petition, being Criminal Miscellaneous Petition No.2078 of 2011, filed by the complainant that the

...2/-

- 2 -

trial is yet to be concluded. The last order passed on Criminal Miscellaneous Petition No.18968 of 2010 in Criminal Appeal No.491 of 2010 has been annexed to the petition from which it appears that a request had been made to the Special Judge [Gangster Cases], Faizabad, Uttar Pradesh, to complete the trial of Gangster Case No.120 of 2008 as expeditiously as possible, within a period of two months from the date of the order. The order was passed on 16th September, 2010, but even after a lapse of two years, the trial is yet to be concluded and we are informed that the Presiding Judge has recused himself from hearing the matter.

Failure of the District Judiciary to abide by the directions given by this Court is a matter of concern which is required to be taken seriously. Accordingly, the Acting Chief Justice of the Allahabad High Court is requested to look into the matter and direct the District Judge concerned to ensure that the pending case is taken up and disposed of by 31st December, 2012. In the event the Acting Chief Justice thinks it necessary, the trial may be transferred for disposal to any other Special Judge hearing such matters, so that this Order passed by this Court is duly complied with.

Criminal Miscellaneous Petition No.2078 of 2011 is,

accordingly, disposed of.

Let a copy of this Order be transmitted to the Acting Chief Justice of the Allahabad High Court forthwith.

Criminal Miscellaneous Petition Nos.20647/2011 and 20700/2011 are also disposed of.

[ T.I. Rajput ]  
A.R.-cum-P.S.

[ Juginder Kaur ]  
Assistant Registrar