

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL (CRL.) No.6239 of 2012

WITH

CRIMINAL MISCELLANEOUS PETITION NO. 15549 OF 2012

(Application for condonation of delay in filing the special leave petition)

UNION OF INDIA

Petitioner

VERSUS

LAL CHAND

Respondent

AND

PETITION FOR SPECIAL LEAVE TO APPEAL (CRL.) No.7839 of 2012

WITH

CRIMINAL MISCELLANEOUS PETITION NO. 20726 OF 2012

(Application for condonation of delay in filing the special leave petition)

UNION OF INDIA

Petitioner

VERSUS

NAVAL SINGH

Respondent

OFFICE REPORT

The matter above mentioned was listed before the Hon'ble Court on 13<sup>th</sup> August, 2012 when the Court was pleased to pass the following order:

**"Issue notice on the application for condonation of delay, as also on the special leave petition, returnable two weeks hence.**

**Let notice be served, both in the usual course and also by way of Dasti service."**

Accordingly, Show Cause Notice was issued to the sole Respondent through Registered Post A.D. on 21.08.2012. A copy of dasti notice was also handed over to the Counsel for the Petitioner for effecting service on the Respondent.

Unserved cover containing the said show cause notice has been received back from the sole Respondent with postal remarks "No such Addressee living in the Village".

It is submitted that Counsel for the Petitioner has not filed proof of dasti service.

The matter above-mentioned was listed before the Court of Registrar from time to time for want of fresh address and for filing affidavit of dasti service and lastly listed on 10<sup>th</sup> May, 2013 when the following Order was passed:

**Ld.counsel for the petitioner who was granted last opportunity for taking steps against respondent in correct address, has not taken steps even now. Ld.counsel seeks more time. However, I am inclined to grant four more weeks time subject to the condition that he takes steps and deposits a sum of Rs. 500/- in the Supreme Court Legal Services Committee as cost within four weeks. If the above conditions are not satisfied, list the matter before the Hon'ble Judge in Chambers for non-prosecution.**

**If steps are taken, issue notice. Await return of notice.**

**List the matter on 19.07.2013."**

It is also submitted that the Counsel for the Petitioner has neither filed proof of deposit of ` 500/- with Supreme Court Legal Services Committee (SCLSC) as cost nor taken fresh steps for effecting service on the sole Respondent.

Thereafter, the matter above-mentioned was listed before the Hon'ble Judge-in-Chambers on 8.8.2013, when His Lordship was pleased to pass the following order:

**"Heard.**

**Issue bailable warrants against the sole respondent. Warrants shall be directed to the trial court for service upon the respondent through jurisdictional police station.**

**Three weeks' time is granted for depositing the costs."**

It is submitted that bailable warrants against the sole

Respondent was issued through Trial Court for service upon the sole Respondent through Jurisdictional Police Station.

It is further submitted that Compliance report with respect to execution of the warrants has been received from Trial Court after serving the notice to the sole Respondent but no one has entered appearance on his behalf so far.

Service of Show cause Notice is complete.

**SLP(CRL.) NO. 7839/2012**

The matter above mentioned was listed before the Hon'ble Court on 28<sup>th</sup> September, 2012 when the Court was pleased to pass the following order:

**"Issue notice on the S.L.P. as well as application for condonation of delay. Tag with SLP(Crl).../2012 (Crl.M.P.No. 15549)."**

Accordingly, Show Cause Notice was issued to the sole Respondent through Registered Post A.D. on 31.10.2012.

Unserved cover containing the said show cause notice has been received back from the sole Respondent with postal remarks "Refused".

The matter above-mentioned was listed alongwith main matter before the Court of Registrar on 6<sup>th</sup> February, 2013 when inter alia following order was passed:

**"In SLP(C) No.7839/12 the postal notice addressed to the respondent has been returned unserved with an endorsement "refused". I am inclined to treat it as proper service. No appearance for the respondent. List the matter before the Hon'ble Court as per rules..."**

Accordingly, both the matters are listed before the Hon'ble Court with this Office Report.

DATED this the 13<sup>th</sup> day of December, 2013.

ASSISTANT REGISTRAR

Copy to: Mr. B.K. Prasad, Advocate

mk/rao/st

ASSISTANT REGISTRAR