

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

[Crl.M.P.No.12159]

Petition(s) for Special Leave to Appeal(Crl.)...../2004

(From the judgement and order dated 23/06/2004 in WP 261/03  
of The HIGH COURT OF JHARKHAND AT RANCHI)

JAINARAYAN PRASAD @ SAO

Petitioner (s)

VERSUS

STATE OF JHARKHAND &amp; ORS.

Respondent (s)

[For c/delay in refiling SLP and  
with Office Report]

Date : 31/01/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.P. SINGH

HON'BLE MR. JUSTICE ARUN KUMAR

For Petitioner (s)Mr. D.N. Goburdhan,Adv.  
Ms. Pinky Anand, Adv.  
Ms. Geeta Luthra, Adv.

For Respondent (s)

UPON hearing counsel the Court made the following

## O R D E R

Office Report dated 27th January 2005 states that the petitioner had not filed the copy of the writ petition filed before the High Court, as directed by this Court by order dated 06th December 2004. We find from the record that the said writ petition has been filed along with an affidavit on 10th January 2005. The Office to explain this discrepancy in the Office Report.

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We have perused the writ petition filed before the High Court and we are not satisfied that an averment was made before the High Court that the files which were required to be placed before the Governor by order of the High Court dated 10th September 2002, were not placed before the Governor. Counsel for the petitioner is directed to file an affidavit affirmed by a knowledgeable person stating, in clear terms, which files/documents were not placed before the Governor while considering the case of pardon of the petitioner, and also the basis on which such a statement is made.

Adjourned for three weeks.

(Subhash Chander) (Asha Joshi)  
Court Master Court Master