

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

CRLMP.NO(s). 17049/2010 in  
Petition(s) for Special Leave to Appeal (Crl)... 2010

AJIT SINGH KUSHWAHA

Petitioner(s)

VERSUS

STATE OF M.P.

Respondent(s)

(With appln. for exemption from surrendering)  
(with office report)

Date: 06/12/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SWATANTER KUMAR  
(IN CHAMBERS)

For Petitioner(s) Sh. Uday U. Lalit, Sr.Adv.  
Mr. B.K.Satija,Adv.

For Respondent(s)

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

Vide order dated 8th November, 2010 notice of this application was issued to the respondent which is State of Madhya Pradesh. As per Office Report of the Registry, the standing counsel for the State of Madhya Pradesh was served but neither any Vakalatnama has been filed nor has anybody appeared on behalf of the State today. The applicant Mr. Ajit Singh Kushwaha has prayed for exemption from surrendering primarily on the medical grounds. Medical records including the proceedings of medical Board have been placed on record. Having perused the record and heard learned Senior Counsel appearing for the applicant, he is granted exemption from surrendering at this stage. After the applicant has received the requisite treatment as stated in the proceedings of the Medical

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Board and is recovered, the applicant can surrender. Petition may be listed before the Court in accordance with the Rules in the meanwhile.

Meanwhile, the

It needs to be noticed that despite intimation nobody has appeared for the State of M.P.. It has already been more than often that the State of M.P. remained unrepresented in different cases. There are cases where assistance of the State Counsel before the Court is necessary even to verify the averments made in the application. In fact, I see no reason why the State should not be represented in the cases particularly where notice has been issued by the Court. Let the Chief Secretary of the State of M.P. take appropriate steps to ensure proper representation of the State Government before this Court.

The Registry shall communicate this to the Chief Secretary to the state of Madhya Pradesh.

(Rajni Mukhi)  
P.A.

(Veena Khera)  
Court Master