

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

Petition(s) for Special Leave to Appeal (Crl) No(s).6104-6105/2008
(From the judgement and order dated 30/01/2008 in BA No. 3044/2007
and order dated 25/2/2008 in Misc. Case No. 285/2008 @ BA 3044/2007
of The HIGH COURT OF ORISSA AT CUTTACK)

M/S MONNET ISPAT & ENERGY LTD.

Petitioner(s)

VERSUS

SHIBADUTTA SHARMA & ANR.

Respondent(s)

(With appln. for stay, permission to file additional documents and
office report) (For final disposal)

WITH SLP(Crl) NO. 6110 of 2008

(With appln.for permission to file addl.documeKnts and office
report)(For final disposal)

Date: 09/11/2009 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE D.K. JAIN

HON'BLE MR. JUSTICE H.L. DATTU

For Petitioner(s) Mr. Mukul Rohatgi, Sr. Adv.
Ms. Suruchii Aggarwal, Adv.
Mr. Anish, Adv.

For Respondent(s) Mr. Arun K. Sinha, Adv.
Mr. Rakesh Singh, Adv.
Mr. Sumit Sinha, Adv.

Mr. Jana Kalyan Das, Adv

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

SLP(Crl.) NOs. 6104-6105/2008

Having heard learned counsel for the parties, as
such we are not inclined to interfere with the impugned
orders, dated 30th January, 2008 and 25th February, 2008.
However, we modify order dated 25th February, 2008 to

..2/-

: 2 :

the extent that as and when the respondents file
applications under Section 317 of the Code of Criminal
Procedure for dispensing with their personal
attendance, the said applications shall be considered
by the trial Court on their own merit uninfluenced by
the observations made by the High Court in the said
order. The special leave petitions stand disposed of
accordingly.

SLP(Crl.) NO. 6110/2008

Being in the nature of an interim order, we are
not inclined to interfere with the impugned order.

However, having regard to the facts and circumstances of the case, we would request the High court to dispose of Crl.M.C. No. 2773 of 2007 as expeditiously as possible but not later than three months from today. If for any reason, the learned Judge, before whom the matter is stated to be pending as part-heard, finds it difficult to dispose it within the said time, he shall forthwith release the same from his board, whereafter the learned Chief Justice will assign the case to some other Judge for disposal within the stipulated time.

The special leave petition stands disposed of in the above terms.

[Charanjeet Kaur]
Court Master

[Pushap Lata Bhardwaj]
Court Master