

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl) No(s).6968/2009

(From the judgement and order dated 05/03/2009 in
of The HIGH COURT OF ORISSA AT CUTTACK)

CRLA No. 382/2005

PRAVAKAR DAS

Petitioner(s)

VERSUS

STATE OF ORISSA

Respondent(s)

(With appln(s) for bail and office report)(for final disposal)

Date: 23/03/2010

This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.M. PANCHAL

HON'BLE MR. JUSTICE C.K. PRASAD

For Petitioner(s)

Mr. Bimal Roy Jad,Adv.
Mr. Vivek Kr. Singh,adv.
Mr. Malik J.B.,Adv.

For Respondent(s)

Mr. Shibashish Misra,Adv.

UPON hearing counsel the Court made the following

O R D E R

The petition was placed for admission hearing before the Court on September 11, 2009. After hearing the learned counsel for the petitioner, following order was passed:

"Delay condoned.

We are not inclined to entertain the matter on merits.

The learned counsel for the petitioner has pointed out that it appears from the record that the petitioner has already put in 16 years of imprisonment and still remains in custody.

Issue notice returnable within two weeks. In addition, the counsel is permitted to serve the standing counsel for the State of orissa."

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Today during the course of hearing of the petition, the learned counsel for the State of Orissa has produced a zerox copy of letter dated March 16, 2010, addressed by Superintendent District Jail, Dhenkanal, to the Superintendent of Police, Dhenkanal, which indicates that the total period of imprisonment undergone by the petitioner is 4 years 3 months and 22 days. The said communication is taken on record. The order dated September 11, 2009, makes it very clear that Court was not inclined to entertain the matter on merits. However, notice was ordered to be issued to the respondent only because a statement was made at the Bar by the learned counsel for the petitioner on the basis of communication received by the Supreme Court Legal Aid Committee from the petitioner that he has undergone 16 years of imprisonment.

As observed earlier, there is no merits in the petition and in view of the contents of the

communication, taken on record, it is not established
that the petitioner has undergone imprisonment of 16
years. Therefore, the petition deserves to be
dismissed. Accordingly, the petition is dismissed.

[SUMAN WADHWA]
COURT MASTER

[VINOD KULVI]
COURT MASTER