

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl) No(s).6643/2007

(From the judgment and order dated 02/07/2007 in CRLA No. 133/2002 of The HIGH COURT OF A.P AT HYDERABAD)

MOHD.CHAND

Petitioner(s)

VERSUS

STATE REP.BY LEARNED PROSECUTOR

Respondent(s)

(With appln(s) for bail,permission to file additional documents)

Date: 12/11/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE C.K. THAKKER
HON'BLE MR. JUSTICE ALTAMAS KABIRFor Petitioner(s) Mr. P Niroop, Adv.
Mr. Anil Kumar Tandale,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
ORDER

Reading paragraph 5 of the judgment, it is clear that the day on which the appeal was disposed of, the learned counsel for the petitioner was not present. It is no doubt true, as observed by the High Court, that adjournments were granted, but in our opinion, it would have been appropriate if the Court had appointed an Amicus Curiae.

Since the matter was decided in absence of the counsel and the petitioner was not represented, the Registry is directed to issue notice returnable within three weeks. Notice will also state as to why the special leave petition should not be disposed of at this stage by remitting the matter to the High Court for fresh disposal. Dasti service, in addition, is permitted.

[Charanjeet Kaur]
Court Master[Vinod Kulvi]
Court Master