vITEM NO. 55 COURT NO.4 SECTION XI

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

Petition for Special Leave to Appeal (Civil) No.31417/2010
(From the judgment and order dated 02/02/2010 in FA No.449/2002
of The HIGH COURT OF JUDICATURE AT ALLAHABAD)

STATE OF U.P.& ORS. Petitioner(s)
VERSUS
BHOOP SINGH Respondent(s)

(With appln(s) for extension of time and permission to place on record the statements of witnesses recorded before reference court and exemption from filing O.T. and with prayer for interim relief and office report)

Date: 23/01/2012 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE D.K. JAIN
HON'BLE MR. JUSTICE ANIL R. DAVE

For Petitioner(s) Mr. Arvind Varma, Sr. Adv.
Mr. Ardhendumauli Kumar Prasad, Adv.
for Mr. Pradeep Misra, Adv.

For Respondent(s) Mr. Anjani Kumar Jha, Adv.

UPON hearing counsel the Court made the following

O R D E R

Pursuant to our order dated 21st November, 2011, an additional affidavit has been filed by one Rajendra Kumar Singh, Assistant Engineer, Provincial Division, P.W.D., Bulandshahar. In the said affidavit, it is stated that no action has been taken against the persons who were responsible for causing delay in filing appeal in the case of Kamal Mustafa.

We are not satisfied with the explanation. Let the Engineer-in-Chief, Provincial Division, P.W.D., Bulandshahar, file an affidavit explaining the circumstances under which no action was taken against the erring officer(s). The requisite affidavit shall be filed within four weeks.

List thereafter.

..2/-

We may clarify that if we are not satisfied with the explanation to be furnished by the Engineer-in-Chief, we may be constrained to summon the Principal Secretary, P.W.D. of the State to assist us in making appropriate orders in the case.

[Charanjeet Kaur]
Court Master

[Kusum Gulati]
Court Master