

ê

ITEM NO.1

COURT NO.12

SECTION II

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

CrI.M.P. No. 18735 of 2012 in
Petition(s) for Special Leave to Appeal (CrI) No(s).7801/2011
(From the judgement and order dated 19/05/2011 in CRLRP No.97/2011 of The
HIGH COURT OF UTTARAKHAND AT NAINITAL)

JEEWAN BALA

Petitioner(s)

VERSUS

OMTYAGI & ORS.

Respondent(s)

(for clarification of affidavit filed by Mr. Dilshad dated 02.04.2012 and
office report)

Date: 07/01/2014 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA
HON'BLE MRS. JUSTICE RANJANA PRAKASH DESAI

For Petitioner(s) Mr. M.Sarkar, Adv.
Mr. Dushyant Kumar, Adv.
Mr. Rakesh Taneja, Adv.
Mr.T.V.George,Adv.

For Respondent(s) Mr. Ashok Kumar Sharma,Adv.
Mr. Vikalp Mudgal, Adv.
Mr. Sanjay Jha, Adv.

Mr. Prateek Dwivedi, Adv.
Mr. Saurabh Trivedi ,Adv.

UPON hearing counsel the Court made the following

O R D E R

The prayer made by the petitioner to accept the affidavit
filed by Mr. Dilshad is rejected in absence of any evidence on record
to show that Dilshad has gone to the place where respondent Nos. 4 & 5
are residing and tried to serve the notice on them and obtained
signature of neighbours of that place with regard to refusal to accept
the notice.

- 2 -

Let fresh notice be issued on Respondent Nos. 4 & 5 through
the concerned Court. In addition to that, the petitioner shall also
serve notice on Respondent Nos.4 & 5 by speed post and file a copy of
service report.

The CrI. Misc. Petition stands disposed of.

[RAJNI MUKHI]

[USHA SHARMA]

SR. P.A.

COURT MASTER