

SECTION-IIB
IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.1591, 1592, 1593 AND 1594 OF 2008

WITH
PETITION FOR SPECIAL LEAVE TO APPEAL(CRL.)NO.867 OF 2009

Haradhan Mondal and Ors. etc.	...Appellants
VERSUS	
State of West Bengal etc.	...Respondents

OFFICE REPORT

The matters above mentioned were listed before the Hon'ble Court on 19.11.2015, when the Court was pleased to pass the following Order:

“By order dated 24th February, 2015, this Court while hearing Criminal Appeal No.1591 of 2008 and other connected cases had felt that the said Criminal Appeal No.1591 of 2008 and other connected cases should be heard by this Court only after the Calcutta High Court disposes of Criminal Revision being CRR No.1607 of 2005 titled “Biswadnath Ghosh Vs. The State of West Bengal & Ors.” and CRM No.2386 of 2006 (now converted into G.A.No.3 of 2011) titled “The State of West Bengal vs. Sanjoy Pal & Ors.” Accordingly, a request was made to the High Court of Calcutta in the following terms:

“We only request the Calcutta High Court to dispose of the said matters within a period of three months from the date of receipt of a copy of this order. Since the other connected appeals are pending in this Court for almost seven years, depending upon the result to be passed by the High Court in the matter pending before it, we have to adjourn these appeals which have been pending before us for final disposal.

In view of the above these matters are adjourned for three months.”

Today, when the Criminal Appeal No.1591 of 2008 and other connected cases were taken up for consideration this Court is informed that the proceedings before the Calcutta High Court are still pending. While regretting the said fact, we direct the Registrar General of the Calcutta High Court, to whom a copy of this order be forthwith transmitted, to place the matter before the Hon'ble the Chief Justice of the High Court for necessary action. We make it clear that we expect the High Court to decide the aforesaid two cases before it within a period of four weeks from the date of receipt of a copy of this order.

List the matters for hearing after six weeks.”

It is submitted that pursuant to the above quoted order certified copy of the Record of Proceedings dated 19.11.2015 has been forwarded to The Registrar General, High Court of Calcutta by speed post as well as by fax on 21.11.2015.

It is further submitted that as per the speed post track report the certified copy of the Record of proceedings has been delivered to The Registrar General, High Court of Calcutta on 23.11.2015. Copy of the track report enclosed herewith for kind perusal of the Hon'ble Court.

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It is submitted that service of Notice of Lodgment of Petition of Appeal is complete on common sole Respondent/State of West Bengal. The said respondent is represented by Mr. Anip Sachthey, Advocate in all the appeals.

It is further submitted that common Original records of the High Court have been received in the above matters. But Trial Court record has not been received so far.

PETITION FOR SPECIAL LEAVE TO APPEAL(CRL.)NO.867 OF 2009

It is submitted that there are 27 respondents in the instant matter. Service of show cause notice against the said respondents are as follows:

It is submitted that Respondent No.1 is represented Mr. Anip Sachthey, Advocate and Respondent No.2 is represented by Mr. Tara Chand Sharma, Advocate.

It is further submitted that respondent Nos.3,5 and 15 have died. Petition against the said respondents stands abated and is dismissed pursuant to the Order dated 11.08.2014 of the Hon'ble Judge in Chambers. Cause title is amended accordingly and included in the paper books.

It is further submitted that respondent Nos.4, 8, 13, 17 and 22 have refused to accept show cause notice. Service of notice against the said respondents are treated as complete pursuant to the Order dated 31.07.2013 of the Court of Registrar.

It is further submitted that A.D.cards duly signed by Respondent Nos.6, 7, 9 to 12, 14, 16, 18 to 21 and 23 to 27 have been received, but no one has filed vakalatnama and appearance on their behalf so far.

Service of show cause notice is complete.

The Appeals alongwith Special Leave Petition (Crl.) No.867 of 2009 above mentioned are listed before the Hon'ble Court with this office report.

DATED this the 11th day of January, 2016

ASSISTANT REGISTRAR

COPY TO:

1. Mr. Rupesh Kumar, Advocate
2. Mr. Rabin Majumdar, Advocate
3. Mr. Avijit Bhattacharjee, Advocate
4. Mr. Anip Sachthey, Advocate
5. Mr. Tara Chand Sharma, Advocate

ASSISTANT REGISTRAR

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