xITEM NO.27 Court No.2 SECTION II

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

Petition(s) for Special Leave to Appeal (Crl) No(s).9266/2008

(From the judgement and order dated 25/03/2008 in CRLA No. 2099/2001
of The HIGH COURT OF UTTARANCHAL AT NAINITAL)

S.S.BEDI Petitioner(s)

VERSUS

STATE OF UTTARAKHAND Respondent(s)

(With appln(s) for c/delay in filing SLP,exemption from filing
O.T.,bail,impleadment and office report))

Date: 14/05/2010 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE ALTAMAS KABIR
HON'BLE MR. JUSTICE H.L. GOKHALE

For Petitioner(s) Mr. J.C. Gupta,Sr.Adv.
Mr. Anurag Tomar,Adv.
Mr. Tushar Bakshi,Adv.
Ms. Naresh Bakshi,Adv.

For Respondent(s) Mr. P.K. Dey,Adv.
Mr. Vivak N. Sharma,Adv.
Mr. A.K. Sharma,Adv.
Mr. B. Krishna Prasad ,Adv

Mr. A.P. Sahay,Adv.
Mr. Jatinder Kumar Bhatia,Adv.

UPON hearing counsel the Court made the following
O R D E R

An application for impleadment has been filed in this Special Leave Petition praying for interim orders in the instant proceedings. Let the C.B.I. be added as party respondent to the proceedings.

2. Having heard learned counsel for the petitioner, C.B.I. as well as the State of Uttaranchal, and since we find that the appeal before the High Court had been disposed of without notice to the petitioner after bifurcation of the State of Uttar Pradesh and transfer of the records to the said High Court of Uttaranchal, we

allow the Special Leave Petition and set aside the order of the High Court dated 25th March, 2008, passed in Crl. Appeal No. 2099 of 2001, impugned in the Special Leave Petition and direct the matter to be heard afresh by the Uttaranchal High Court. No fresh notice need be served on the parties by the Uttaranchal High Court. Let the matter be placed before the Uttaranchal High Court on 6th July, 2010, when the parties are directed to appear before the High Court and thereafter the High Court may fix the matter for final disposal within three months from the date of such order. We make it clear that we have not gone into the merits of the matter and the High Court will be at liberty to pass such orders as it may deem fit and proper in the facts of the case.

(Ganga Thakur)
PS to Registrar

(Juginder Kaur)
Court Master