

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl) No(s).3874/2010

(From the judgement and order dated 01/02/2010 in
1339/2009 of The HIGH COURT OF GUJARAT AT AHMEDABAD)

SCRLA No.

SUMITRABEN @ SUNITABEN NEPALSINGH YADAV

Petitioner(s)

VERSUS

STATE OF GUJARAT & ANR.

Respondent(s)

(With appln(s) for stay and office report)

Date: 06/07/2011 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V.S. SIRPURKAR
HON'BLE MR. JUSTICE T.S. THAKUR

For Petitioner(s) Mr. Sudhakar Joshi, Adv.
 Mr. Nachiketa Joshi, Adv.
 Mr. Chitanya Joshi, Adv.

For Respondent(s) Ms. Manisha T. Karia, Adv. for
 Mr. Naresh Kumar, Adv.

 Ms. Hemantika Wahi ,Adv
 Ms. Jesal, Adv.
 Ms. Surbhi Banerjee, Adv.

UPON hearing counsel the Court made the following

O R D E R

Leave granted.

The appeal stands disposed of in terms of signed
order.

(Pardeep Kumar)
Court Master

(Shashi Bala Vij)
Assistant Registrar

[SIGNED ORDER IS PLACED ON THE FILE]

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL No.1322 OF 2011
(Arising out of SLP(Crl.) No. 3874 of 2010)

SUMITRABEN @ SUNITABEN NEPALSINGH YADAV

... Appellant(s)

Versus

O R D E R

1. Leave granted.

2 Challenge in the present appeal is to the order dated 1.2.2010 passed in Special Criminal Application No. 1339 of 2009 whereby the High Court dismissed the application filed by the appellant herein.

3. We have heard learned counsel appearing appearing for the parties.

4. We have gone through the impugned order. We are not satisfied with the same as it lacks the reasoning nor does it take a proper view of the matter regarding the initial maintenance granted in favour of the wife.

5. In that view, we set-aside the impugned order and remit this matter to the High Court with the request to decide it afresh on merits within six months from the date of communication of this order. Needless to say that in the

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meantime, the husband shall continue to pay the maintenance to the wife as ordered by the trial court.

6. The appeal stands disposed of accordingly.

.....J.
(V.S.SIRPURKAR)

.....J.
(T.S.THAKUR)

New Delhi,
July 06,2011.

SLP (Crl.) No. 3874 of 2010 was listed in Court No. 8 as item 6 on 6.7.2011. In this matter, proceedings of 6.7.2011 along with signed order was uploaded by me on 7.7.2011.

Today, the clerk of the appellant's advocate has reported that in the copying section, the proceedings of this matter is available only of 25.4.2011 and not of 6.7.2011.

When I checked the order on sup-net, it is showing the order of 6.7.2011 whereas, in the copying section, this order is not available.

Therefore, kindly instruct the NIC to do the needful in this matter.

[PARDEEP KUMAR]
COURT MASTER

MS. PROMILA SHARMA,
ADDL. REGISTRAR (COURTS]