

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

PETITION FOR SPECIAL LEAVE TO APPEAL (CRL.) NO. 2782 OF 2015

WITH

CRIMINAL MISCELLANEOUS PETITION NOS. 5809 & 12721 OF 2015

(Applications for exemption from filing official translation
and permission to file additional documents)

PATEL BINISH @ JAGDISH @ JAGO ... PETITIONER

VERSUS

STATE OF GUJARAT & ANR. ... RESPONDENTS

OFFICE REPORT

The matter above mentioned was listed before the Hon'ble Court on 31.08.2015 when the Court was pleased to pass the following order:

**"Issue notice returnable in four weeks.
CrlMP No. 14459 of 2015 (Application for
impleadment) is allowed."**

Accordingly, Show Cause Notice returnable on 26.10.2015 was issued to Respondent No. 1/State of Gujarat through Registered A.D. Post on 24.09.2015 and Respondent No. 2 through Ms. Pinky Behera, Advocate. A copy of the notice was also issued to Ms. Hemantika Wahi, Standing Counsel for State of Gujarat.

It is submitted that there are two respondents in the matter. Respondent No. 1/State of Gujarat is represented through Ms. Hemantika Wahi, Advocate and Respondent No. 2 is represented through Ms. Pinky Behera, Advocate.

It is further submitted that Ms. Pinky Behera, Counsel for Respondent No. 2 has also filed Counter Affidavit on behalf of Respondent No. 2 vide Registrar Court's order dated 26.10.2015. Copy of the Counter Affidavit has been included in the Special Leave Petition paper books for perusal of the Hon'ble Court.

It is further submitted that Ms. K.V. Bharathi Upadhyaya, Counsel for the Petitioner has on 09.12.2015 filed documents after obtaining prior permission of the Hon'ble Court as per the endorsement made by the concerned Court Master on the first page of said documents. Copy of the same is circulated herewith for perusal of the Hon'ble Court.

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It is further submitted that the matter above mentioned was listed before the Registrar Court on 07.12.2015 when the following order was passed:

"Respondent no.2 has already filed counter affidavit.

Same is still awaited for respondent no.1. Be filed within four weeks time as last opportunity.

List again on 5.2.2016."

It is submitted that Ms. Hemantika Wahi, Counsel for Respondent No. 1/State of Gujarat has given a letter stating therein that she does not wish to file Counter Affidavit (copy enclosed).

Service of Show Cause Notice is complete in respect of both the respondents.

It is further submitted that the matter above mentioned was mentioned before the Hon'ble Court on 19.01.2016 when the Court was pleased to pass the following order:

"List in the second week of February, 2016."

It is lastly submitted that Ms. K.V. Bharathi Upadhyaya, Counsel for the Petitioner has on 05.02.2016 filed additional documents after obtaining prior permission of the Hon'ble Court as per the endorsement made by the concerned Court Master on the filing memo but the same is not supported by an affidavit. Copy of the same is circulated herewith for perusal of the Hon'ble Court.

The matter above mentioned is, therefore, listed before the Hon'ble Court with this office report.

DATED this the 06th day of February, 2016.

ASSISTANT REGISTRAR

COPY TO:

- 1) Ms. K.V. Bharathi Upadhyaya, Advocate
- 2) Ms. Hemantika Wahi, Advocate
- 3) Ms. Pinky Behera, Advocate

ASSISTANT REGISTRAR