

SECTION-II-B
IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

Listed on 5.12.2016
Court No. 2
Item No. 55

PETITION FOR SPECIAL LEAVE TO APPEAL (CRL.) NO. 7495 OF 2015

UNION OF INDIA ... Petitioner
VERSUS
NIYAZUDDIN SK AND ANR. ... Respondents

OFFICE REPORT

The matter above mentioned was listed before the Hon'ble Court on 05.09.2016, when the Court was pleased to pass the following Order:-

"Learned counsel for respondent No.1 prays for time to enable her to file counter affidavit.

Prayer is allowed.

Counter affidavit be filed during the course of the day.

A perusal of the office report reveals, that respondent No.2 is still unserved. Let fresh steps be taken to serve respondent No.2 in the usual course, and in addition thereto, by registered post, as well as, through the Chief Judicial Magistrate, Barasat, West Bengal, within four weeks from today."

It is submitted that pursuant to this Court's order quoted above, fresh notice to Respondent No. 2 was issued through Chief Judicial Magistrate, Barasat, West Bengal by Registered AD on 26.07.2016. The Chief Judicial Magistrate has send service report of notice served in respect of respondent no. 2, but no one has enter appearance on his behalf so far.

It is further submitted that instant matter is an after notice matter. There are two respondents. Respondent No. 1 is represented by Ms. Rukhsana Choudhury, Advocate and the counsel has also filed Counter Affidavit. The same has been included in the Paper Books.

Service is complete on respondent No.2 by way Trial court.

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

Dated this the 24th day of November, 2016.

ASSISTANT REGISTRAR

Copy to:

1. Mr. B. K. Prasad, Advocate
2. Ms. Rukhsana Choudhury, Advocate