

ITEM NO.38

COURT NO.3

SECTION II

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

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s). 39188/2023

(Arising out of impugned final judgment and order dated 23-05-2019 in A482 No. 20514/2019 passed by the High Court of Judicature at Allahabad)

SHIVKUMAR NISHAD

Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH & ANR.

Respondent(s)

(IA No.198427/2023-CONDONATION OF DELAY IN FILING and IA No.198424/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.198423/2023-EXEMPTION FROM FILING O.T.)

Date : 06-10-2023 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE S.V.N. BHATTI

For Petitioner(s) Mr. Shashank Singh, AOR
Mr. Akash Alex, Adv.
Ms. Yogyata Jhunjhunwala, Adv.
Mr. Varun Singh, Adv.
Mr. Ujjaval Kumar, Adv.
Mr. Rajan Kumar, Adv.
Mr. Sandeep Kumar, Adv.
Mr. Santosh Kumar Shukla, Adv.

For Respondent(s)

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

Issue notice on the application for condonation of delay as well as on the special leave petition, returnable in the month of November 2023.

Notice will also be served on the informant - Shambhu Nath Sahani, who was the petitioner before the High Court.

Notice will be served by all modes, including *dasti*.

The contention of the petitioner - Shivkumar Nishad is that this Court has issued direction for expeditious disposal of the trial, but his cross-examination cannot be completed in view of the interim order passed by the High Court. This factum was not brought to the notice of this Court, while passing order directing trial court for expeditious hearing/disposal.

The proceedings before the trial court will continue, but final judgment/order will not be pronounced till the next date of hearing.

(BABITA PANDEY)
COURT MASTER (SH)

(R.S. NARAYANAN)
ASSISTANT REGISTRAR