

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

Listed on
Court No.
Item No.

PETITION FOR SPECIAL LEAVE TO APPEAL (CRL.) NOS. 7004 OF 2015
AND 8933-8947 OF 2016

STATE OF KERALA & anr.

... PETITIONER

VERSUS

E.K. VARGHESE

... RESPONDENT

OFFICE REPORT

PETITION FOR SPECIAL LEAVE TO APPEAL (CRL.) NOS. 7004 OF 2015

The matter above-mentioned was listed before the Hon'ble Court on 21.08.2015 when the following order was passed:

"Heard learned counsel for the petitioners and perused the relevant material.

Issue notice on application seeking condonation of delay as well as in the special leave petition."

Since, the service of notice is not complete on sole respondent, the matter above-mentioned was listed before the Ld. Registrar Court on 12.8.2016 when the following order was passed:

"Fresh steps for the service of notice by usual mode to the unserved sole respondent shall be taken by the Ld.counsel for the petitioner within a period of three weeks. Dasti in addition is permitted to be served through the concerned Trial Court, the particulars of which shall be furnished by the Ld.counsel for the petitioner within the period provided above.

List the matter again on 26.09.2016."

Pursuant to this Court's Order quoted above, fresh Notice was issued to sole respondent through Regd.A.D. as well as Trial Court on 26.08.2016.

Further, The High Court of Kerala has send served notice service report in respect of the sole respondent received from Judicial First Class Magistrate, Chengannur, Kerala stating therein that "notice has been Personally served" on the sole respondent.

As per track record of Registered A.D., the envelope, containing notice, has been delivered. Copy of the track report of the Registered A.D. is enclosed herewith for perusal. (Copy enclosed)

The matter above-mentioned was listed before the Ld. Registrar Court on 26.09.2016 when the following order was passed:

"The office report indicates that service of notice is complete on the sole respondent but no one has entered appearance on his behalf. Viewed, in that context, the matter shall be processed for listing before the Hon'ble Court, under the rules."

Service of notice is complete but no one has entered appearance on behalf of sole respondent.

PETITION FOR SPECIAL LEAVE TO APPEAL (CRL.) NOS. 8933-8947 OF 2016

The matters above-mentioned were listed before the Hon'ble Court on 15.11.2016 when the following order was passed:

**"Delay condoned.
Issue notice.
Tag with SLP(Crl.) No.7004/2015."**

Accordingly Show Cause Notice was issued to all the 23 Respondents by Regd. A.D. Post on 28.11.2016.

It is submitted that Respondent Nos. 1, 2, 3, 7, 21 are represented through Mr. C.N. Sreekumar, Advocate, Mr. K. Rajeev, Advocate and Mr. T G N Nair, Advocate respectively.

It is submitted that unserved cover containing notice has been received back in respect of respondent No. 9 and 19 with postal remarks "Left and Addressee deceased."

It is submitted that Neither AD card nor unserved covers containing notice have been received back in respect of respondent No. 4 to 6, 8, 10-18, 20, 22, 23."

Service of Show Cause Notice is not complete on respondent no. 4 to 6, 8 to 20, 22, 23.

The matters are listed before the Hon'ble Court with this office report.

DATED this the 20th day of January, 2017.

ASSISTANT REGISTRAR

COPY TO:

1. Mr. G.Prakash, Advocate
2. Mr.C.N. Sreekumar, Advocate
3. Mr. K. Rajeev, Advocate
4. Mr. T..G.N. Nair, Advocate

ASSISTANT REGISTRAR