

ITEM NO.801

COURT NO.6

SECTION II-A

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

Petition(s) for Special Leave to Appeal (Crl.) No.8434/2021

(Arising out of impugned final judgment and order dated 02-08-2021 in CRMP No. 3762/2019 passed by the High Court of Jharkhand at Ranchi)

PHOOL CHAND RAM MAHTO @ FULCHAND & ORS.

Petitioner(s)

VERSUS

THE STATE OF JHARKHAND & ANR.

Respondent(s)

Date : 22-02-2022 This petition was mentioned today.

CORAM : HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE M.M. SUNDRESH

For Petitioner(s) Mr. Aditya Kumar Choudhary, Adv.
Ms. Gurmehar Vaan Singh, Adv.
Mr. Rajesh Singh Chauhan, AOR

For Respondent(s) Mr. Abhishek, AOR
Mr. Rameshwar Prasad Goyal, AOR

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

Learned counsel for the petitioner(s) submits that by the Order dated 12.11.2021 this Court had granted stay of the proceedings before the trial Court. On 03.1.2022, learned counsel for the respondents entered appearance and sought time to file the counter affidavit and matter was directed to be listed after 8 weeks. It appears when the matter was listed on 08.2.2022 non-bailable warrants have been issued.

We fail to appreciate how the trial Court could have passed this Order given the interim order we had passed on 12.11.2021 which had not been vacated. The natural understanding of our Order is that till it is vacated, it would continue.

We do believe that the proceedings initiated by the trial Court on 08.2.2022 are in violation of our Orders and thus all proceedings in pursuance to the said Order are stayed.

(RASHMI DHYANI)
COURT MASTER

(POONAM VAID)
COURT MASTER