

THE GAUHATI HIGH COURT

(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

NOTIFICATION NO. 79

Dated Guwahati, the 30th of November, 2024

Pursuant to Order dated 08.11.2024 passed by the Hon'ble Supreme Court of India in *SLP (Crl.) No. 15424/2024 (Diary No. 48856/2024) (Patteeswaran Vs. State)*, it is hereby notified that in an event the witnesses are present and the defense counsel unnecessarily seeks an adjournment, the learned Trial Judge should appoint an Amicus and direct the cross examination to proceed.

This Notification shall come into effect immediately.

By Order,
Sd/- S. K. Poddar


REGISTRAR GENERAL

Memo No. HC. III-07/2024/ 4805 - 4839 / G, Dated the 30th November, 2024.


Copy to:-

1. The Secretary General, Supreme Court of India, New Delhi.
2. The Advocate General, Assam / Nagaland / Mizoram / Arunachal Pradesh, Gauhati High Court, Guwahati.
3. The L.R. & Secretary to the Govt. of Assam, Judicial Department, Dispur, Guwahati-6.
4. The Secretary (Judicial), Department of Justice & Law, Govt. of Nagaland.
5. The Secretary to the Govt. of Mizoram, Law & Judicial Department.
6. The Secretary to the Govt. of Arunachal Pradesh, Law & Judicial Department.
7. The Registrar (Vigilance/Admin/Judicial/Estt.(I/c)), Gauhati High Court, Guwahati.
8. The Registrar (Itanagar Permanent Bench/Aizawl Bench/Kohima Bench).
9. The Secretary, Gauhati High Court Legal Services Committee, Gauhati High Court, Guwahati.
10. The Registrar-cum-Principal Secretary to Hon'ble the Chief Justice, Gauhati High Court, Guwahati. Guwahati.
11. The Member Secretary, Assam State Legal Services Authority, Guwahati.
12. The Member Secretary, Nagaland State Legal Services Authority, Kohima.
13. The Member Secretary, Mizoram State Legal Services Authority, Aizawl.
14. The Member Secretary, Arunachal Pradesh State Legal Services Authority, Itanagar.
15. The District & Sessions Judges, _____, Assam. They are requested to circulate the order amongst all the Judicial Officers under their jurisdiction.
16. The Chairman, Bar Council of Assam, Nagaland, Mizoram, Arunachal Pradesh and Sikkim.
17. The President/Secretary General, Gauhati High Court Bar Association, Guwahati.
18. The Secretary, High Court Bar Association, Kohima Bench, Kohima / Aizawl Bench, Aizawl / Itanagar Bench, Naharlagun.

19. The President/General Secretary, Gauhati High Court Advocates' Association, Guwahati.
20. The President/Secretary, All Assam Lawyers' Association, Guwahati.
21. The President/Secretary, Lawyers' Association, Guwahati.
22. The Joint Registrar (_____), Gauhati High Court, Guwahati.
23. The Deputy Registrar (_____), Gauhati High Court, Guwahati.
24. The Deputy Registrar cum Secretary to Hon'ble the Chief Justice, Gauhati High Court, Guwahati.
25. The Asstt. Registrar (_____), Gauhati High Court, Guwahati.
26. The Special Officer, Translation Wing, Gauhati High Court, Guwahati.
27. The Librarian-cum-Research Officer, Gauhati High Court, Guwahati.
28. The P.S. to Hon'ble Mr. /Mrs. Justice _____, Gauhati High Court, Guwahati.
29. The Project Manager, Gauhati High Court, Guwahati. He is requested to upload this Notification in the website of the Gauhati High Court.
30. The Court Manager, Gauhati High Court, Guwahati.
31. The AO (J), _____, Section, Gauhati High Court, Guwahati.
32. The Court Officer Nos. 1 & 2, Gauhati High Court, Guwahati.
33. The Court Master, Court No. _____, Gauhati High Court, Guwahati.
34. The C.A. to the Registrar General, Gauhati High Court, Guwahati.
35. The Gauhati High Court Notice Boards.


2.12.2024

REGISTRAR GENERAL


30-11-24

ITEM NO.41

COURT NO.3

SECTION II-C

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s). 48856/2024

(Arising out of impugned final judgment and order dated 18-06-2024 in CRLOP No. 14019/2024 passed by the High Court of Judicature at Madras)

PATTEESWARAN

Petitioner(s)

VERSUS

STATE REP BY THE INSPECTOR OF POLICE

Respondent(s)

(IA No.250740/2024-CONDONATION OF DELAY IN FILING and IA No.250741/2024-EXEMPTION FROM FILING O.T.)

Date : 08-11-2024 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s) Mr. Pranab Prakash, AOR

For Respondent(s)

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

1. Since no order prejudicial to the interest of the respondent is being passed, the requirement of issuance of notice to the respondent is waived.

2. Though we do not find any error with the impugned order passed by the High Court as well as the Trial Court, in order to sub-serve the ends of justice, we direct that one more opportunity be granted to the parties so as to enable the petitioner to cross examine the witnesses.

3. It is commonly known that such strategies are being adopted by

Signature Not Verified
Digitally signed by
NARENDRA PRASAD
Date: 2024.11.08
17:55:53IST
Reason: 

some of the defence lawyers. One of us participated in a Conference of Judicial Officers and this difficulty was brought to the notice by the learned Trial Judges.

4. We, therefore, find it appropriate that in an event the witnesses are present and the defence counsel unnecessarily seeks an adjournment, learned Trial Judge should appoint an Amicus and direct the cross examination to proceed.

5. In the present case, we direct the learned Trial Judge to give one more opportunity to the petitioner herein to cross examine the witnesses.

6. It is made clear that on the date to be fixed the petitioner shall cross examine the said witnesses. If again adjournment is sought on the said date, the learned Judge would not grant the same and proceed in accordance with law.

7. With these observations and directions, the special leave petition is disposed of.

8. The Registrar concerned is directed to forward a copy of this order to the Registrar General of all the High Courts for taking appropriate steps.

9. Pending application(s), if any, shall stand disposed of.

(NARENDRA PRASAD)
DEPUTY REGISTRAR

(ANJU KAPOOR)
COURT MASTER