

HIGH COURT OF SIKKIM
Record of proceedings

CRL. A. No. 06 of 2018

Arun Rai Appellant

Versus

State of Sikkim ... Respondent

Date: 20.04.2018

CORAM

HON'BLE MR. JUSTICE BHASKAR RAJ PRADHAN, J.

For Appellant : Ms. Gita Bista, Legal Aid Counsel and Ms. Anusha Basnet, Advocate.

For Respondent : Mr. Karma Thinlay, Addl. Public Prosecutor with Mr. Thinlay D. Bhutia, Public Prosecutor.

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I.A. No. 1 of 2018

Ms. Gita Bista, Learned Counsel for the Appellant seeks to file a better affidavit in support of I.A. No. 1 of 2018 which is an application for condonation of delay. Permitted. Let the Appellant file the better affidavit within a period of one week hence.

In the meanwhile, a perusal of the certified copy of the judgment dated 09.11.2017 issued reflects that the necessary information with regard to date of application, date of preparation, date of issue and other relevant information are missing. The certified copy of the order of sentence dated 13.11.2017 has a stamp on the last page but the necessary information as required in the stamp for date of application is blank. These information are vital to compute the period of limitation and the failure of the copying section to provide that information directly affects the administration of justice.

In view of the aforesaid, the Registry is directed to seek explanation forthwith from the District & Sessions Court, West Sikkim at Gyalzing which explanation shall be placed before this Court on or before the next date of hearing.

The Learned Counsel for the State/Respondent seeks three days to file a reply to the application for condonation of delay once the Appellant files the better affidavit. Permitted. The State/Respondent may file the reply on or before 04.05.2018.

List on 04.05.2018.

Judge
20.04.2018

Index: ~~yes~~/No

tsh/ Internet: yes/~~No~~