

**R.O.C.No.64752/2021/F1**



**By e-mode only**  
**P.Dis. 64 /2021**  
**Dated:03.08.2021**

From

P.Dhanabal, B.Sc., B.L.,  
Registrar General,  
High Court of Madras,  
Chennai -104.

To

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Sir,

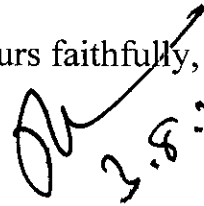
Sub: Order of the Hon'ble Supreme Court of India dated 02.07.2021 passed in Miscellaneous Application No.890 of 2021 in Criminal Appeal Nos.1375 & 1376 of 2013 – Certain observations made – Submitted – Copy of the Order communicated – Reg.

Ref: Order passed by the Hon'ble Supreme Court of India, dated 02.07.2021 in Miscellaneous Application No.890 of 2021 in Criminal Appeal Nos.1375 & 1376 of 2013.

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As directed, I am to enclose herewith the copy of the Order passed by the Hon'ble Supreme Court of India, dated 02.07.2021 in Miscellaneous Application No.890 of 2021 in Criminal Appeal Nos.1375 & 1376 of 2013, for information and compliance.

Yours faithfully,

  
3.8.2021

REGISTRAR GENERAL

To

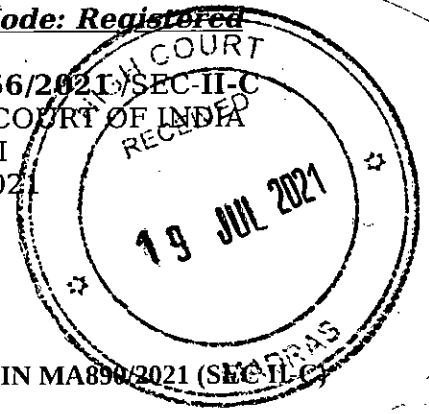
1. All the Principal District Judges/District Judges in the State of Tamil Nadu. }
2. The Principal Judge, City Civil Court, Chennai. } With a request
3. The Chief Judge, Court of Small Causes, Chennai. } to communicate
4. The District Judge-cum-Chief Judicial Magistrate, The Nilgiris. } the enclosed
5. The Chief Judge, Puducherry. } order to all the
6. The Director, Tamil Nadu State Judicial Academy, R.A.Puram, Chennai-28. } Courts under
7. The Court Manager, High Court, Madras (with a request to communicate the enclosed order to all the Court Managers in Tamil Nadu and Puducherry through e-mode.) } your jurisdiction.
8. The Section Officer, "F" Section, Madurai Bench. }
9. The Section Officer, "B5" Section / Supreme Court Section / Inspection Cell, High Court, Madras. }
10. The Record Keeper, A.D.Records, High Court, Madras & Madurai. }

*[Faint handwritten signature or stamp]*

All Communications Should be  
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D. No. 10456/2021/SEC-II-C  
SUPREME COURT OF INDIA  
NEW DELHI  
08th July, 2021



From:

The Branch Officer,  
Supreme Court of India, New Delhi.

To,

- 1 THE REGISTRAR GENERAL,  
HIGH COURT OF DELHI AT NEW DELHI,  
(REF: CRL.W.P.(CRL.) NO. 352 OF 2010) PID: 66978/2021 IN MA890/2021 (SEC II-C)
- 2 THE REGISTRAR GENERAL,  
HIGH COURT OF CHHATISGARH, BILASPUR,  
DISTRICT- BILASPUR, CHHATTISGARH PID: 67269/2021 IN MA890/2021 (SEC II-C)
- 3 THE REGISTRAR GENERAL,  
HIGH COURT OF ANDHRA PRADESH,  
HYDERABAD,  
DISTRICT- HYDERABAD, ANDHRA PRADESH PID: 67270/2021 IN MA890/2021 (SEC II-C)
- 4 THE REGISTRAR GENERAL,  
HIGH COURT OF CALCUTTA(KOLKATA),  
DISTRICT- KOLKATA, WEST BENGAL PID: 67271/2021 IN MA890/2021 (SEC II-C)
- 5 THE REGISTRAR GENERAL,  
HIGH COURT OF MADHYA PRADESH,  
JABALPUR,  
DISTRICT- JABALPUR, MADHYA PRADESH PID: 67272/2021 IN MA890/2021 (SEC II-C)
- 6 THE REGISTRAR GENERAL,  
HIGH COURT OF PATNA,  
DISTRICT- PATNA, BIHAR PID: 67273/2021 IN MA890/2021 (SEC II-C)
- 7 THE REGISTRAR GENERAL,  
HIGH COURT OF ORISSA, CUTTAK,  
DISTRICT- CUTTACK, ORISSA PID: 67274/2021 IN MA890/2021 (SEC II-C)
- 8 THE REGISTRAR GENERAL,  
HIGH COURT OF PANJAB AND HARYANA,  
DISTRICT- CHANDIGARH, CHANDIGARH PID: 67275/2021 IN MA890/2021 (SEC II-C)
- 9 THE REGISTRAR GENERAL,  
HIGH COURT OF RAJASTHAN, JODHPUR,  
DISTRICT- JODHPUR, RAJASTHAN PID: 67276/2021 IN MA890/2021 (SEC II-C)
- 10 THE REGISTRAR GENERAL,  
HIGH COURT OF ALLAHABAD,  
DISTRICT- ALLAHABAD, UTTAR PRADESH PID: 67277/2021 IN MA890/2021 (SEC II-C)
- 11 THE REGISTRAR GENERAL,  
HIGH COURT OF GUJARAT, AHMEDABAD  
DISTRICT- AHMEDABAD, GUJARAT PID: 67278/2021 IN MA890/2021 (SEC II-C)
- 12 THE REGISTRAR GENERAL,  
HIGH COURT OF KARNATAKA, BENGALURU  
DISTRICT- BANGALORE, KARNATAKA PID: 67279/2021 IN MA890/2021 (SEC II-C)
- ✓ 13 THE REGISTRAR GENERAL,  
HIGH COURT OF MADRAS,  
DISTRICT- CHENNAI, TAMIL NADU PID: 67280/2021 IN MA890/2021 (SEC II-C)
- 14 THE REGISTRAR GENERAL,  
HIGH COURT OF JHARKHAND, RANCHI PID: 67281/2021 IN MA890/2021 (SEC II-C)

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64752  
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F  
64752  
20/7/2021

**DISTRICT- RANCHI, JHARKHAND**

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| 15 THE REGISTRAR GENERAL,<br>HIGH COURT OF GUWAHATI,<br>DISTRICT- GUWAHATI, ASSAM                      | PID: 67282/2021 IN MA890/2021 (SEC<br>II-C) |
| 16 THE REGISTRAR GENERAL,<br>HIGH COURT OF SIKKIM, GANGTOK<br>DISTRICT- EAST SIKKIM, SIKKIM            | PID: 67283/2021 IN MA890/2021 (SEC<br>II-C) |
| 17 THE REGISTRAR GENERAL,<br>HIGH COURT OF JAMMU & KASHMIR,<br>SRINAGAR, JAMMU & KASHMIR               | PID: 67284/2021 IN MA890/2021 (SEC<br>II-C) |
| 18 THE REGISTRAR GENERAL,<br>HIGH COURT OF HIMACHAL PRADESH,<br>DISTRICT- SHIMLA, HIMACHAL PRADESH     | PID: 67285/2021 IN MA890/2021 (SEC<br>II-C) |
| 19 THE REGISTRAR GENERAL,<br>HIGH COURT OF KERALA, ERNAKULAM<br>(KOCHI)<br>DISTRICT- ERNAKULAM, KERALA | PID: 67286/2021 IN MA890/2021 (SEC<br>II-C) |
| 20 THE REGISTRAR GENERAL,<br>HIGH COURT OF MEGHALAYA, SHILLONG<br>DISTRICT- SHILLONG, MEGHALAYA        | PID: 67287/2021 IN MA890/2021 (SEC<br>II-C) |
| 21 THE REGISTRAR GENERAL,<br>HIGH COURT OF MANIPUR,<br>DISTRICT- MANIPUR, MANIPUR                      | PID: 67288/2021 IN MA890/2021 (SEC<br>II-C) |
| 22 THE REGISTRAR GENERAL,<br>HIGH COURT OF TRIPURA, AGARTALA,<br>DISTRICT-AGARTALA, TRIPURA            | PID: 67289/2021 IN MA890/2021 (SEC<br>II-C) |
| 23 THE REGISTRAR GENERAL,<br>HIGH COURT OF BOMBAY,<br>DISTRICT- MUMBAI, MAHARASHTRA                    | PID: 67336/2021 IN MA890/2021 (SEC<br>II-C) |

**MISCELLANEOUS APPLICATION No. 890 OF 2021**

**IN**

**CRIMINAL APPEAL NO. 1375-76 OF 2013**

ASIAN RESURFACING OF ROAD AGENCY P. LTD. & ANR.

... Appellant(s)

VERSUS

CENTRAL BUREAU OF INVESTIGATION & ORS.

... Respondent(s)

Sir,

Please find enclosed herewith a certified copy of this Hon'ble Court's Signed Order dated 02nd July, 2021, passed in the matter above mentioned, along with schedule containing full cause title of the parties, for necessary action, if any.

Please acknowledge receipt.

Yours faithfully,  
  
BRANCH OFFICER

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

Checked to be true Copy  
Assistant Registrar (Jud.)  
2021  
Supreme Court of India

MISCELLANEOUS APPLICATION NO. 890 OF 2021

IN

CRIMINAL APPEAL NOS. 1375-1376 OF 2013

ASIAN RESURFACING OF ROAD AGENCY PVT. LTD. & ANR. Appellant(s)

VERSUS

CENTRAL BUREAU OF INVESTIGATION

Respondent(s)

O R D E R

Application for impleadment is allowed.

Having heard Mr. Dilip Annasaheb Taur, learned counsel for the applicant and Ms. Binu Tamta, learned counsel for the respondent, we are constrained to point out that in our directions contained in the judgment delivered in Criminal Appeal Nos. 1375-1376 of 2013 [*Asian Resurfacing of Road Agency Pvt. Ltd. & Anr. vs. Central Bureau of Investigation*] and, in particular, para 35, it is stated thus:

"35. .... In cases where stay is granted in future, the same will end on expiry of six months from the date of such order unless similar extension is granted by a speaking order. The speaking order must show that the case was of such exceptional nature that continuing the stay was more important than having the trial finalized. The trial Court where order of stay of civil or criminal proceedings is produced, may fix a date not beyond six months of the order of stay so that on expiry of period of stay, proceedings can commence unless order of extension of stay is produced."

Learned Additional Chief Judicial Magistrate-III, Dehradun, by his order dated 31.10.2020, has instead of following our judgment in letter as well as spirit, stated "Today, the Complainant submitted an application citing the judgment of the Hon'ble Supreme Court of India and also enclosed the photocopy of the said judgment. The copy of the judgment of the Hon'ble Supreme court was perused with due respect. Application alongwith the copy of the Judgment seen (keep on file). Consequently, the opposite party is directed to file the fresh status of stay granted by the Hon'ble High Court. The file to be put up for further orders on due date." We must remind the Magistrates all over the country that in our pyramidal structure under the Constitution of India, the Supreme Court is at the Apex, and the High Courts, though not subordinate administratively, are certainly subordinate judicially. These kinds of orders fly in the face of para 35 of our judgment. [We expect that the Magistrates all over the country will follow our order in letter and spirit. Whatever stay has been granted by any court including the High Court automatically expires upon the expiry of a period of six months, and unless extension is granted for good reason, as per our judgment, within the next six months, the trial Court is, on the expiry of the first period of six months, to set a date for the trial and go ahead with the same.]

With this observation, the order dated 31.10.2020 is set aside with a direction to the learned Additional Chief Judicial

Magistrate-III, Dehradun to set down the case for hearing immediately.

Miscellaneous Application is disposed of accordingly.

..... *Sdr* ..... J.  
(ROHINTON FALI NARIMAN)

..... *cd* ..... J.  
(K.M. JOSEPH)

..... *cd* ..... J.  
(B.R. GAVAI)

New Delhi;  
July 02, 2021.

**AMENDED CAUSE TITLE**  
**IN THE SUPREME COURT OF INDIA**  
**CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPEAL No. 1375-76 OF 2013**

**IN THE MATTER OF**

1. ASIAN RESURFACING OF ROAD AGENCY P. LTD.  
HAVING ITS REGISTERED OFFICE  
AT M-75, GREATER KAILASH PART-I, NEW DELHI- 110048  
THROUGH DIRECTOR

2. SHRI PREM ARORA,  
S/O SHRI KISHAN LAL,  
R/O M-75, GREATER,  
KAILASH PART-1, NEW DELHI

....Appellant

VERSUS

1. CENTRAL BUREAU OF INVESTIGATION  
PLOT NO. 5-B, 6<sup>th</sup> FLOOR, CGO COMPLEX, LODHI ROAD,  
NEW DELHI 110003  
THROUGH DIRECTOR

.....Respondent No.1

\*2. PRADEEP BABASAHEB GHULE  
AGE 42 YEARS, OCCU: BUSINESS,  
R/O VITHAI, MANJORI BUDRUK,  
MALWADI, PUNE STATE OF MAHARASHTRA

.....Respondent No.2

\*\*3. SANJEEV RATHI  
S/O SUKHBIR SINGH RATHI  
R/O A-501 LKG APARTMENTS  
DOON UNIVERSITY ROAD KEDARPUR  
DEHRADUN PIN 248001  
STATE OF UTTARAKHAND.

.....Respondent No.3

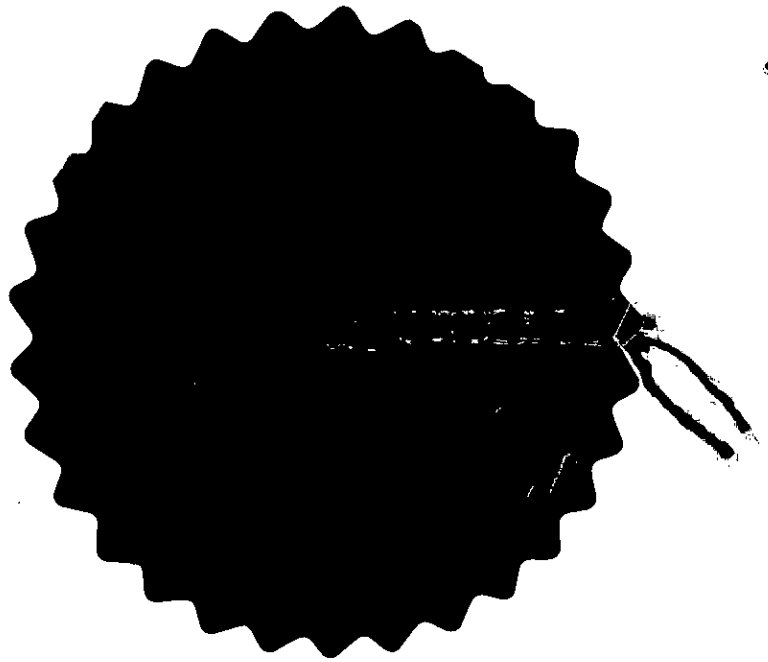
\* Respondent No. 2 have been impleaded as party respondents in the matter above mentioned vide Hon'ble Court's Order dated 15.10.2020 in the M.A. No. 1577 of 2020.

\*\*Respondent No. 3 have been impleaded as party respondents in the matter above mentioned vide Hon'ble Court's Order dated 02.07.2021 in M.A No. 890/2021.

*for*

*Sd-*  
ASSISTANT REGISTRAR





PLS

SEALED IN MY PRESENCE