

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.149 OF 2009
(@SPECIAL LEAVE PETITION (CRL.)NO.953 OF 2008)

MOHD.ESSAT ALI

Appellant(s)

VERSUS

VIMLA & ORS.

Respondent(s)

O R D E R

Delay condoned. Leave granted.

Heard both sides.

The appellant was working as a IInd Addl.Sessions Judge, City Civil Court at Chennai. The High Court in the impugned order has stated that the convict had to undertake the imprisonment for a period more than what was necessary because of the order of the IInd Addl.Sessions Judge. On that basis certain adverse remarks have been passed against the appellant. Learned counsel for the appellant points out that the period stated is not strictly correct and so having regard to these facts we are of the view that these remarks are not warranted for the just disposal of the case. The adverse remarks so passed against the appellant in para 19 of the

impugned order/judgment are expunged and the direction to place the matter before the Chief Justice is also set aside.

The appeal is disposed of accordingly.

.....CJI.
(K.G. BALAKRISHNAN)

.....J.
(P. SATHASIVAM)

NEW DELHI;
23RD JANUARY, 2009.