

Court No. - 8

Case :- APPLICATION U/S 482 No. - 11703 of 2023

Applicant :- Rama Kant Dubey

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home Lko. And Another

Counsel for Applicant :- Vimal Kishor Singh

Counsel for Opposite Party :- G.A.

Hon'ble Pankaj Bhatia,J.

1. In effect, present application has been filed basically aggrieved against issuance of NBW against the applicant on 09.02.2021.

2. Submission of counsel for the applicant is that the order of externment passed under Section 3 of U.P. Control of Goondas Act was stayed in an appeal filed by the applicant and despite the said stay and the appeal being pending, the applicant is being prosecuted under the U.P. Control of Goondas Act, 1970, which is primarily contrary to Section 12 of the said Act.

3. Considering the fact that the applicant was summoned in the year 2009, but he could not appear on account of Covid restriction, the present application is ***disposed off*** permitting the applicant to file a discharge application through Advocate before the Court concerned within a period of six weeks from today.

4. Till the, no coercive action shall be taken in pursuance to the NBW issued against the applicant.

Order Date :- 4.12.2023

nishant