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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(CRL) 2415/2014

NASIR

..... Petitioner

Through: Mr. R.M. Tufail, Mr. Anwar A. Khan,
Mr. Farooq Chaudhary, Mr. Vishal
Raj Sehijpal and Mr. Varun Agrawal,
Adv.

versus

STATE GOVT OF NCT OF DELHI & ANR Respondents

Through: Mr. Rajesh Mahajan, ASC with Ms.
Shinjan Jain, Adv. with SI Naseem
Ahmed, P.S. Hauz Qasi.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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28.04.2015

Vide order dated 14th October, 2014 Addl. Deputy Commissioner of Police, Central District, Delhi Police has passed an order under Section 47 of The Delhi Police Act, 1978, thereby externed the petitioner from the territorial bounds of Delhi for two years. Petitioner preferred an appeal before the Appellate Authority which has been disposed of vide order dated 5th November, 2014. The order passed by the Appellate Authority is a non-speaking order. Relevant portion of the said order reads as under :-

“After hearing both the parties and careful perusal of documents on record, I am of the opinion that the respondent after considering all aspects of the matter has passed a fair order and I find no reason to interfere with it. The appeal is, therefore, rejected.”

The grounds taken in the appeal and the arguments advanced by the counsel for the petitioner have not been discussed nor any reason has been given while dismissing the appeal of the petitioner. Accordingly, impugned order of the Appellate Authority is set aside and the matter is remanded back to the Appellate Authority with the directions to dispose of the appeal of petitioner afresh by a speaking order after affording opportunity of hearing to the petitioner.

Writ petition is disposed of in the above terms.

A.K. PATHAK, J.

APRIL 28, 2015

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