

Amk

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

WRIT PETITION NO. 3729 OF 2017

Umesh Ramchandra Pawar	.. Petitioner
Vs.	
Dy. Superintendent of Police & Anr.	.. Respondents

Mr. Umesh Mankapure for the Petitioner.
Mrs. S. D. Shinde, APP for the Respondent-State.

**CORAM : SMT. VASANTI. A. NAIK AND
MR. RIYAZ I. CHAGLA, JJ.**
DATE : 8th DECEMBER, 2017.

P. C. :

By this writ petition, the petitioner challenges the notice served on the petitioner under Section 59 of the Maharashtra Police Act asking the petitioner as to why he should not be externed.

The learned Assistant Public Prosecutor raises a preliminary objection to the tenability of the writ petition. It is stated that the writ petition is pre-mature. It is stated that it would be necessary for the petitioner to point out to the authority as to how the notice is bad in law. It is stated that if the petitioner has filed a reply, the reply would be duly considered by the authority.

We uphold the preliminary objection raised on behalf of the respondents and dispose of the writ petition with no order as to costs.

The points raised in the writ petition are kept open.

[RIYAZ I. CHAGLA, J.]

[SMT. VASANTI A. NAIK J.]