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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 9128/2017**

VARUN @ SHERU

..... Petitioner

Through: MsVagisha Kochar, Advocate.

versus

THE STATE AND ANR.

..... Respondents

Through: Mr Devesh Singh, ASC, GNCTD
with Ms Neelam, Advocate for R-1.
Mr Sanjoy Ghose, Advocate for R-2.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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17.10.2017

CM No. 37362/2017

1. Allowed, subject to all just exceptions.

W.P.(C) 9128/2017

2. The petitioner has filed the present petition, *inter alia*, praying as under:-

- “a) Issue a Writ of Mandamus or any other appropriate writ, order or direction to Respondent No 1 to issue notification(s) in terms of sub section (1) of section 5 of Maharashtra Control of Organised Crime Act, 1999 (MCOCA) in the official gazette for establishment of the special court to exclusively try the offences pertaining to MCOCA and other related offences;
- b) Issue appropriate directions to Respondent No 2 to issue such Administrative Order(s) to intimate the District Judge concerned about requisite authorisation to the Special Court(s) in North

district of Rohini Court, Delhi, to undertake the trial of cases in relation to all matters pertaining to Maharashtra Control of Organised Crimes Act, 1999, exclusively.”

3. Mr Sanjoy Ghose, learned counsel appearing for respondent no.2 submits that no such notification is necessary as by an earlier notification dated 15.05.2017, all courts of ASJ-03 in all the districts have been notified to deal with cases of TADA/POTA/MCOCA of their respective jurisdictions.

4. The learned counsel for the petitioner points out that despite the aforesaid notification, the concerned Judge is not taking up the cases pertaining to MCOCA on the ground that the necessary authorization has not been received from the High Court. This is plainly evident from the order sheets annexed with the present petition. Mr Ghose submits that the same would be examined by the High Court on the administrative side and appropriate directions would be issued.

5. In view of the aforesaid statement, no further orders are required to be passed in this petition. It is expected that the necessary directions would be issued as expeditiously as possible and preferably within a period of four weeks from today.

6. The petition is disposed of with the aforesaid observations.

VIBHU BAKHRU, J

OCTOBER 17, 2017
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