

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

CRIMINAL WRIT PETITION NO.4537 OF 2018

Prakash @ Pappu Hirji Savla

..Petitioner

vs.

The State of Maharashtra

...Respondent

Mr.Milan Desai i/b Mr. T. R. Patel for the Petitioner.

Smt. A. S. Pai, APP for the Respondent.

**CORAM : B. P. DHARMADHIKARI &
SARANG V. KOTWAL, JJ.**

DATE : 26/11/2018.

P.C.:

. Show cause notice issued under section 59 for proposed externment under section 56(1)(a) of Bombay Police Act issued on 3/9/2018 is questioned before us. It is the contention of the petitioner that it does not record prima facie finding that the petitioner is likely to repeat or indulge in any such offence in future. The names of witnesses are also disclosed implying thereby that people in general do not have any fear of petitioner. The contention is that several disputes between petitioner and his partners going on since long are sought to be redressed by invoking said provisions.

2 With the assistance of learned counsel we have perused show cause notice in which we find that it contains some allegations which may call for an answer from the petitioner. We are not in position to hold that the notice is without jurisdiction. However, we clarify that these observations are only at this stage, when reply is not furnished by the petitioner. No interference is warranted by extra ordinary jurisdiction. We

therefore dispose of the petition keeping all contentions of the petitioner open.

(SARANG V. KOTWAL, J.)

(B. P. DHARMADHIKARI, J.)