

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

CRIMINAL WRIT PETITION NO. 5636 OF 2019

Deepak Sharad Jare

.. Petitioner

versus

The Competent Authority,
SAFEMA/NDPSA & Ors.

.. Respondents

Mr. V.B. Singh a/w Mr. Satish S. Sharma for the petitioner
Mr. Sandesh D. Patil for respondent no.1

**CORAM : R.K. DESHPANDE &
PRITHVIRAJ K. CHAVAN, J.J.**

DATED : 13th MARCH, 2020

P.C.

1. On 14th March, 2012, an order of detention under Section 3(1) of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 was passed against one Shri. Ajit B. Satam. This order was the subject matter of challenge in Writ Petition before this Court, which was dismissed. Against this order, Civil Appeal was preferred and the same was dismissed by the Apex Court. The challenge to the order at the instance of Ajit B. Satam concluded.

2. On the basis of the order of detention issued against Ajit B. Satam, the petitioner is served by the Show-Cause Notice

dated 30th March, 2016 under Section 6(1) of the Smugglers and Foreign Exchange Manipulators (Forfeiture of Property) Act, 1976 ("SAFEMA Act" for short). The proceedings are carried to the Competent Authority and the order under Section 7 of the SAFEMA Act was passed on 6th September, 2019 of forfeiture of the property. The petitioner has, therefore, challenged the order of detention passed on 14th March, 2012 against Ajit B. Satam and also the Show-Cause Notice and the ultimate order issued under Section 7(1) of the SAFEMA Act.

3. Our attention is invited to the order passed under Section 7(1) of the Act, which clearly states that the petitioner has remedy of filing an appeal before the Appellate Tribunal against the order passed under Section 7(1) of the Act. We, therefore, do not find any reason to entertain this writ petition due to existence of effective alternate statutory remedy.

4. The Writ Petition is dismissed. All questions are left open.

(PRITHVIRAJ K. CHAVAN, J.)

(R.K. DESHPANDE, J.)