

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION (STAMP) NO. 5953 OF 2022

IN

WRIT PETITION NO. 202 OF 2022

Gulabidevi Karnaram Chaudhary ...Applicant

Versus

Union of India and Ors ...Respondents

- Mrs. Aisha Zubair Ansari, for the Applicant.
- Mr. J.P. Yagnik, APP, for the Respondent – State.

CORAM : PRASANNA B. VARALE &
S. M. MODAK, JJ.

DATE : APRIL 06, 2022.

PER COURT :

1. Not on board. Mentioned by way of praecipe in view of urgency.

2. The Counsel for Applicant prayed for amendment to the petition. The submission is, an order of detention is under challenge in the petition and when the petition was filed, a representation was submitted to the Board and the decision of the Board was awaited. During pendency of the petition, the said Board decided the representation. As such, learned counsel for the applicant prayed for amendment to the petition

by placing on record the copy of representation and order passed by the Board along with other documents annexed to the representation. Learned Counsel further submitted that the petition is listed before this Court on 19th April, 2022 for hearing / consideration.

3. Accordingly, the prayer for amendment is allowed. The amendment be carried out on or before 11th April, 2022.

4. Needless to state that amended copy of the petition be served upon all concerned either by 12th April, 2022.

5. At this stage, learned Counsel for applicant further submitted that the notice was issued in the matter and till date no reply is filed by the Respondent – State.

6. We make it clear that in case, on next scheduled date of hearing if we find that no reply is filed by the Respondent(s), we would presume that the Respondent(s) are not objecting the Petition on merits and the Respondent(s) would suffer the order of this Court not only on merits but for their non action also.

7. List the Petition on the scheduled date of hearing on 19th April, 2022 under caption "for directions".

8. All concerned shall act upon a copy of this order which is duly authenticated by the Registry of this Court.

(S. M. MODAK, J.)

(PRASANNA B. VARALE, J.)