

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

CRIMINAL WRIT PETITION NO. 523 OF 2023

Kashif Khan Rauf Khan

Vs.

State of Maharashtra, Thru. Sub Division Police Officer, Warora, Tah. & Dist.
Chandrapur and Ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. S.V. Sirpurkar, Advocate for petitioner.
Mr. N.R. Rode, APP for respondents/State.

**CORAM : VINAY JOSHI, AND
VALMIKI SA MENEZES, JJ.**

DATE : 28.07.2023.

Heard.

2. The petitioner has been externed vide order dated 19.06.2023 from the District of Chandarpur for the period of one year.

3. Being aggrieved, the petitioner has preferred an Appeal No.39/2023, before respondent No.2 - Divisional Commissioner, Nagpur. According to petitioner, there is no progress in the appeal nor appellate authority has accepted stay application. According to petitioner, his fundamental right of

freedom of movement has been seriously jeopardized.

4. It is informed that the first date of appeal is fixed on 09.08.2023. In view of that, we direct the respondent No.2 to accept the stay application on scheduled date i.e. 09.08.2023 and decide the same within one week in accordance with law and also decide the entire appeal within three weeks thereafter.

5. We direct the State to appear *suo motu* in the appeal on **09.08.2023**.

6. The petition stands disposed in above terms.

JUDGE

JUDGE