



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL WRIT PETITION NO. 674/2023.

Mohammad Atique Mohammad Tamjeed Qureshi

-VERSUS-

Deputy Commissioner of Police and another.

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

Court's or Judge's Orders

Shri P.R. Agrawal, Advocate for the Petitioner.
Shri V.A. Thakare, A.P.P. for Respondents.

CORAM : VINAY JOSHI AND

VALMIKI SA MENEZES, JJ.

DATE : SEPTEMBER 06, 2023.

Heard.

2. The petitioner has been externed from Amravati City for a period of two years vide order dated 18.07.2023 passed by the Deputy Commissioner of Police, Zone-1, Amravati. Being aggrieved by the said order, the petitioner has preferred an appeal in terms of Section 60 of the Maharashtra Police Act, before the Divisional Commissioner, Amravati. The petitioner has also filed an application dated 25.07.2023, seeking

interim relief in the nature of stay to the effect of the impugned order. It is the submission of the petitioner that respondent no.2 has neither entertained the interim application, nor heard the matter finally, but, simply adjourned the matter to 31.10.2023.

3. The petitioner has relied on the decision of this Court in case of **Sachin Yeshwant Pokre .vrs. Jayprakash M. Jadhav and others – 2016 All MR (Cri) 3050 [FB]**, wherein this Court has expressed that the stay application in the appeal under Section 60 of the Act is expected to be taken for hearing at least within one week from the date of filing of the appeal.

4. In view of above, we deem it appropriate to direct the Appellate Authority to decide the stay application expeditiously. Hence, we direct respondent no.2 to decide the pending stay application in the Externment Appeal No.55/2023 on or before 15.09.2023. Petitioner to appear before the said Authority on 08.09.2023. Registry to communicate this order to the

concerned Authority by e-mail, in addition to regular mode of service.

5. Since, we do not see any reason otherwise to keep the matter pending, Criminal Writ Petition stands disposed of.

JUDGE

JUDGE