



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

CRIMINAL WRIT PETITION NO. 723/2024

(Sandeep s/o. Shamsunder Chandak Vs. State of Maharashtra)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. Sandeep s/o. Shamsunder Chandak – Petitioner in person.
Mr. A.M. Joshi, APP for respondent/State.

CORAM: VINAY JOSHI AND
MRS. VRUSHALI V. JOSHI, JJ.

DATED : 10/09/2024.

Heard.

2. Earlier the petitioner was served with a show cause notice in terms of Section 59 of the Maharashtra Police Act directing petitioner to file a reply to the proposal of externment in terms of Section 56(1)(A) and (B) of the Maharashtra Police Act. Being aggrieved, the petitioner has challenged the very show cause notice in earlier Writ Petition No. 493/2024, where in this Court has observed that challenge to mere show cause notice cannot be entertained and accordingly petition was dismissed vide order dated 24.06.2024.

3. It appears that in the said backdrop, again the petitioner was served another notice dated 28.08.2024 which is impugned herein. The said notice has reiterated the issuance of earlier show cause notice dated 12.06.2024

served on 17.06.2024 and again requested to file reply. The petitioner has challenged the said notice on the ground that the petitioner has already filed reply to show cause notice on 24.06.2024, but without considering the reply, fresh notice was again issued making a mis-statement that the reply has not been filed.

4. The petitioner has produced Annexure-C [page no. 17 to 35]) which is index along with copy of writ petition and some other annexures. According to the petitioner, the said entire Annexure-C is reply to show cause notice dated 12.06.2024 which was duly received by the respondent-authority on 24.06.2024. The petitioner made categorical statement that whatever he has tendered with index is a response to the show cause notice and which ought to have been considered.

5. One can not insist the petitioner to file reply in particular manner. In the circumstances, the authority shall consider the same which they received on 24.06.2024 as a reply to the show cause notice and proceed further in accordance with law.

6. Petition stands disposed of in above terms.

7. Steno copy is granted.

(MRS. VRUSHALI V. JOSHI, J.)

(VINAY JOSHI, J.)