

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

WRIT PETITION (CRL.) NO(s). 15 OF 2007

WASIM AHMAD CHUGTAI

Petitioner(s)

VERSUS

Govt. of J.& K.

Respondent(s)

(With office report )

(For final disposal)

Date: 4/3/2008 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.H. KAPADIA

HON'BLE MR. JUSTICE B. SUDERSHAN REDDY

For Petitioner(s)

Mr. Anil Kr.Mittal,Adv.(A.C.)

For Respondent(s)

Mr. Anis Suhrawardy,Adv.

UPON hearing counsel the Court made the following  
ORDER

In this writ petition B.R. Kundal, Chief Secretary, Government  
of

J.& K. has filed his affidavit dated 19.1.2008 in which he has stated vide para XV  
and XVI as follows:

(XV) That the present Writ petition (Crl.) No. 15/2007 has been  
preferred by the Petitioner on 27.10.2006 interalia concealing the  
fact with respect to the filing and

-2-

pendency of Writ Petition (Crl.) No. 310/2005 where the same  
petitioner is a petitioner as Wasim Ahmad in a bunch of  
petitioners. That since another bench of this Hon'ble Court is  
seized of the matter earlier then the present writ petition and the  
case is being monitored by the said Bench, the directions have  
been given to complete the trial within a period of 9 months  
therefore the present petition on account of concealment of  
material facts before this Hon'ble Court is liable to be dismissed.

(XVI) It is humbly submitted that for ready reference and  
kind perusal of this Hon'ble Court the prayer in writ petition  
(crl.) No.310/2005 are quoted as hereunder:-

(a) issue an appropriate writ, order or direction to quash  
the detention orders against the detainees and direct the

respondents 1 and 2, to deport the detenues to Pakistan in the interest of justice and equity."

A bare reading of the above averment indicates that the petitioner herein has challenged the same detention order twice over, one by way of WP 310/2005 and the other vide present WP 15/2007. Further the said writ petition No. 310/2005 is part-heard before the Bench presided over by Hon'ble Mr. Justice B.N.Agrawal.

-3-

In the circumstances office is directed to place the present writ petition (Crl.) No. 15/2007 before the same Bench so that both the writ petitions bearing nos. 310/05 and 15/2007 could be disposed of together.

[SUMAN WADHWA]  
COURT MASTER

[MADHU SAXENA]  
COURT MASTER