

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl) No(s).1101/2006

(From the judgement and order dated 23/12/2005 in CRLWP No. 2183/2005 of The HIGH COURT OF BOMBAY)

STATE OF MAHARASHTRA & ORS.

Petitioner(s)

VERSUS

LALIT SOMDATTA NAGPAL & ORS.

Respondent(s)

(With appln(s) for exemption from filing c/c of the impugned Judgment and ex-parte stay and exemption

from filing O.T. and office report)

Date: 20/03/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. SRIKRISHNA

HON'BLE MR. JUSTICE TARUN CHATTERJEE

For Petitioner(s)

Mr. Ravindra Keshavrao Adsure, Adv.

For Respondent(s) Mr. Ameen Sarkar, Adv.

Mr. Shakil Ahmed Syed, Adv.

Mr. Firasat Ali Siddiqui, Adv.

UPON hearing counsel the Court made the following

O R D E R

Issue notice.

Mr. Shakil Ahmed Syed, the learned counsel appears on caveat and accepts notice on behalf of Respondent Nos. 1 to 3. However, it is strongly contended on behalf of the Petitioners that the High Court ought not to have granted interim relief of injuncting the State authorities and the police from carrying on their investigations under the MCOC Act.

After perusing the records, and hearing the learned counsel for the Petitioners, we are satisfied that the interim relief in the aforesaid terms ought not to have been granted. We refrain from making any comments on the merits of the case since the question as to the applicability of the MCOC Act is itself the subject matter of another SLP (CrI.) Nos.3320-3321/2005 in which notice has been issued.

In the result, we set aside the interim relief granted by the High Court and direct that this Petition shall be tagged on to be heard along with SLP (CrI.) Nos.3320-3321 of 2005. We vacate the interim order in respect of Respondent Nos. 1, 2 and 3.

(K.K. Chawla)
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