

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

WRIT PETITION (CRL.) NO.137 OF 2011

SUBHASH POPATLAL DAVE

Petitioner(s)

VERSUS

UNION OF INDIA & ANR.

Respondent(s)

(With appln(s) for stay, modification of Court's Order and office report)

WITH W.P.(CRL.) NO.138 of 2011

(With appln.(s) for stay and directions and office report)

W.P.(CRL.) NO.35 of 2011

(With appln.(s) for directions and permission and intervention and impleadment as party respondent and impleadment as petitioner and stay and office report)

S.L.P.(CRL.) NO.1909/2011

(With appln.(s) for stay and office report)

S.L.P.(CRL.) NO.1938/2011

(With appln.(s) for stay and office report)

W.P.(CRL.) NO.142 of 2011

(With appln.(s) for directions and stay of execution proceedings and permission to file rejoinder affidavit and stay and office report)

W.P.(CRL.) NO.220/2011

(With appln.(s) for stay and permission to file rejoinder affidavit and directions and office report)

W.P.(CRL.) NO.249/2011

(With appln.(s) for directions and ex-parte stay and office report)

W.P.(CRL.) NO.14/2012

(With appln.(s) for ex-parte stay and office report)

S.L.P.(CRL.) NO.2442/2012

(With appln.(s) for c/delay in filing SLP and exemption from filing c/c of the impugned order and stay and office report)

S.L.P.(CRL.) NOS.2091-2092/2012

(With appln.(s) for stay and permission to file additional documents and office report)

Date: 13/02/2013 These Petitions were called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE  
HON'BLE MRS. JUSTICE GYAN SUDHA MISRA  
HON'BLE MR. JUSTICE J. CHELAMESWAR

For Petitioner(s) Mr. Pramod Kumar Singh, Adv.  
WP 137/11, WP 138/ Mr. Ravindra Keshavrao Adsure, AOR  
11, SLP 1909/11 &  
SLP 1938/11

WP(Crl.)35/11 & Mr. Mukul Rohtagi, Sr. Adv.  
SLP(Crl)2442/12 Mr. Sujay N.Kantawala, Adv.  
Mr. Saurabh Kirpal, Adv.  
Mr. Sanjay Agarwal, Adv.  
Mr. Nikhil Jain, Adv.  
Ms. Madhavi Kumar, Adv.  
Mr. Rakesh Dahiya, AOR.

WP(Crl.)14/12                    Mr. Mukul Rohtagi, Sr. Adv.  
                                       Dr. G.K. Sarkar, Adv.  
                                       Ms. Malabika Sarkar, Adv.  
                                       Mr. Saurabh Kirpal, Adv.  
                                       Mr. Sanjay Agarwal, Adv.  
                                       Mr. Prashant Srivastava, Adv.  
                                       Mr. D.Mahesh Babu, AOR.

SLP(Crl.)2091-92/12            Mr. Mukul Rohatgi, Sr. Adv.  
                                       Ms. Indu Malhotra, Sr. Adv.(N.P.)  
                                       Mr. Sujay N.Kantawala, Adv.  
                                       Mr. Saurabh Kirpal, Adv.  
                                       Mr. Sanjay Agarwal, Adv.  
                                       Mr. Karan Bharioke, Adv.  
                                       Mr. Nikhil Jain, AOR.

WP 142/11, 249/11 &            Mr. Vikram Chaudhri, Adv.  
 220/11                            Mr. Nikhil Jain, AOR  
                                       Ms. Preeti Singh, Adv.  
                                       Mr. Gagandeep Sharma, Adv.  
                                       Mr. Sangram Saron, Adv.

For Respondent(s)                Mr. P.P. Malhotra, ASG  
 WP 137/11                        Ms. Asha G. Nair, Adv.  
                                       Ms. Ranjana Narayan, Adv.  
                                       Mr. Chetan Chawla, Adv.  
                                       Mr. B. Krishna Prasad, AOR

WP 137/11, 138/11,             Mr. B.H. Marlapalle, Sr. Adv.  
 WP 35/11, 220/11 &            Ms. Asha Gopalan Nair, AOR  
 249/11, SLP 1938/11,         Mr. Abhishek Kumar Pandey, Adv.  
 SLP 2442/12

SLP 2091-92/12 &             Mr. Arvind Kumar Sharma, AOR  
 WP 14/12

WP 35/11                         Mr. Gopal Balwant Sathe, AOR

WP 35/11                         Dr. Kailash Chand, AOR

UPON hearing counsel the Court made the following  
 O R D E R

While considering the matters where detention orders could not be executed, Mr. Vikram Chaudhari, learned counsel for the petitioner, submits that in the writ petition filed by Dr. Sushma Garg on behalf of the detenu, Lokesh Garg, the detenu has already been detained in terms of the detention order and his case could be taken up separately.

A synopsis of the writ petition and the exposition of law as well, has been filed by Mr. Choudhari in Court today. The counter affidavit, as well as the reply filed on behalf of the Union of India, be taken on record and be kept with the record.

Having regard to the above, let these matters be adjourned till 7th March, 2013, at 3.00 p.m.

Let this Bench be reconstituted on the said date for the said purpose and let the separated matter of Lokesh Garg, be taken up for consideration first.

| (Chetan Kumar)  
| Court Master

| | (Juginder Kaur)  
| | Assistant Registrar

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