

ITEM NO.13

COURT NO.3

SECTION IIA

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

Petition(s) for Special Leave to Appeal (Cr1) No(s).5108-5109/2013  
(From the judgement and order dated 09/05/2013 in CWP No.396/2013,  
dated 17/06/2013 in CWP No.497/2013, of The HIGH COURT OF BOMBAY  
AT AURANGABAD)

MANISH

Petitioner(s)

VERSUS

STATE OF MAHARASHTRA &amp; ORS.

Respondent(s)

(With appln(s) for ex-parte stay, exemption from filing c/c of  
the impugned Judgment, exemption from filing O.T. and office report)

Date: 28/06/2013 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. PATNAIK  
HON'BLE MR. JUSTICE RANJAN GOGOI  
(VACATION BENCH)

For Petitioner(s) Mr. J. Gandhi, Adv.  
Mr. Avinash Kumar, Adv.

For Respondent(s)

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

These cases were listed in vacation in view of the prayer made on behalf of the petitioner that an order of preventive detention has been passed against him under the Prevention of Black Marketing and Maintenance of Supplies of Essential Commodities Act, 1980.

Along with the special leave petitions, however, the order dated 15th April, 2013 passed by the detaining authority for detaining the petitioner under the aforesaid Act has not been annexed. On a query being made by the Court as to why the detention order has not been filed, the petitioner submitted that he has not been served the order of detention and as a matter of fact, he is not in detention because of non service of the detention order.

In view of the aforesaid peculiar facts, we are not inclined to exercise our jurisdiction under Article 136 of the Constitution against the impugned order passed by the High Court and we accordingly dismiss these special leave petitions.

| (G. SUDHAKARA RAO)  
| COURT MASTER

| | (SHARDA KAPOOR)  
| | COURT MASTER

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