

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(s). 97 OF 2010

ANITA SHARMA &amp; ORS.

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

(With appln(s) for stay and seeking permission to bring addl.facts and placing addl.documents on record and office report ) )

WITH W.P.(Crl.)No.1/2010

(with appln.(s) for stay and stay)

WITH W.P.(Crl.)No.91/2010

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

SLP(Crl.)No.8750/10 (with appln.(s) for ex-parte stay and exemption from filing O..and office report)

Date: 18/11/2010 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ALTAMAS KABIR

HON'BLE MR. JUSTICE CYRIAC JOSEPH

For Petitioner(s)

Mr. Vikram Choudhary, Adv.

Mr. Nikhil Jain,Adv.

For Respondent(s)

Mr. R.P. Bhatt, Sr. Adv.

Ms. Ranjana Narayan, Adv.

Mr. Wasim Qadri, Adv.

Mr. B. Krishna Prasad,Adv.

Mr. P.K. Dey, Adv.

Ms. Sadhna Sandhu, Adv.

Mr. Mukesh Verma, Adv.

Mrs. Anil Katiyar, Adv.

Mr. Mohan Parasaran, ASG.

Mr. S.Wasim A.Qadri, Adv.

Ms. Ranjana Narayan, Adv.

Mr. B.K. Prasad, Adv.

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UPON hearing counsel the Court made the following

O R D E R

W.P.(Crl.) No.97 of 2010

Learned counsel appearing for the petitioners prays for leave to withdraw this writ petition as far as petitioner Nos. 2 and 3 are concerned, with leave to file a fresh writ petition on all grounds. Since in this writ petition the challenge was only confined to the vires of Section 3(1) of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974, and not on the merits of the detention order, such

prayer is allowed. Let the writ petition, as far as the petitioner Nos.2 and 3 are concerned, are treated as withdrawn, with liberty to the said petitioners to file separate writ petitions, if they are so advised. The writ petition will survive as far as the first petitioner is concerned and will be taken up with W.P.(Crl.)No.91/10, which has already been filed by her on behalf of her husband, Puran Chand Sharma.

As far as SLP(Crl.)No.8750/10, is concerned, let the same be adjourned till 1st December, 2010, and let the interim order passed on 12th November, 2010, stand extended till that date.

Let W.P.(Crl.)Nos. 91 and 97 of 2010, be also listed along with the other matters on 1st December, 2010.

(Sheetal Dhingra)  
Court Master

(Juginder Kaur)  
Court Master