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W.P(Crl.)No. 98-101 OF 2001  
ITEM No.201 & 202

Court No. 7

SECTION X  
A/N MATTER

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. 98-101/2001

BISHARAT ALI RAJPUT & ORS.

Petitioner (s)

VERSUS

UNION OF INDIA & ORS.

Respondent (s)

( For Final Disposal )  
( With Office Report )  
With

W.P(Crl.)No.161-164/2001,Crl.A.No.680/2001

with WP(Crl)No.126-129/2003

Date : 21/11/2003 These Petitions were called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE RUMA PAL  
HON'BLE MR. JUSTICE P.VENKATARAMA REDDI

For Petitioner (s) Mr.Soli J.Sorabjee,AG  
Mr.Raju Ramachandran,ASG  
Mr.A.Mariarputham,Adv.  
Ms.Sushma Suri,Adv.  
Ms.Aruna Mathur,Adv.

Mr.Bhim Singh,Adv.  
Mr.B.S. Billowria,Adv.  
Mr.S.K. Bandopadhyay,adv.  
Mr.Manzoor Ali Khan,Adv.  
Mr.Sunil Kumar,Adv.  
Mr.Rohit Pandy,Adv.  
Mr. Dinesh Kumar Garg,Adv.

Prof.Bhim Singh,Adv.  
Mr.B.S. Billowria,Adv.  
Mr.Satish Vig,Adv.

For Respondent (s) Mr.Altaf H.Nayak,AG, J&K  
Mr. Anis Suhrawardy,Adv.

:2:

For rr:Mr.Ravi Prakash Mehrotra,Adv.  
Ms.Deepti R.Mehrotra,Adv.  
Mr.Garvesh Kabra,Adv.  
Mr.Sandeep Singh,Adv.

Ms.Ranjana Narayan,(A.C.)

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

The Union of India is given a further and final period of three weeks within which necessary orders in respect of the six detainees who have been recommended for deportation must be passed. It is stated by the learned Attorney General appearing on behalf of the Union of India, that according to his instructions that with regard to four detainees who have been recommended for deportation and who do not belong to POK, the orders for their deportation will be passed.

As to the nature of the order to be passed in respect of those who are from POK, the matter requires consideration. The names of the four detainees whose cases are recommended for deportation to Pakistan are Abdul Khaliq, appellant No.1, appellant No.3 Zulafkar Ali Shah, appellant No.5 Ifatkhar Hyder in CrI.No.690/01 and Salahuddin petitioner No.1 in W.P.(CrI)No.161/01.

As far as petitioners 2 and 4 namely Sayed Sajjad Ali Bukhari and Alam Khan in WP(CrI)No.126-129/03 are concerned the writ petition as far as they are concerned is dismissed as they are undergoing trial for various offences. As far as Amir Hamza is concerned, he is one of those whose name had been recommended for deportation he belongs to POK, and is consequently covered by the preceding order. As far as Umaruddin alias Amzad Chadha is concerned, there appears to be some dispute as to his identity. The State Government will look into the question of the identity of Umaruddin and clarify whether the petitioner No.3 in this writ petition is referred to at Serial No.2 in the statement filed by the State and if not, his present status.

The matter is adjourned by three weeks.

(USHA BHARDWAJ)  
P.S. TO REGISTRAR

(MADHU SAXENA)  
COURT MASTER