

SUPREME COURT OF INDIA

Samar Ali Miyan

Vs.

State of W.B.

Writ Petn.. No. 307 of 1974

(K. K. Mathew and P. N. Bhagwati, JJ.)

09.01.1975

JUDGEMENT

BHAGWATI, J.:-

1. The petitioner challenges an order of detention dated 8 th December, 1973 made by the District Magistrate, Darjeeling under sub-section (1) read with subsection (2) of Section 3 of the Maintenance of Internal Security Act, 1971. We asked Mr. D. P. Sharma, learned counsel appearing on behalf of the petitioner amicus curiae as to what were the grounds on which the order of detention was being challenged but he was unable to formulate any grounds. He frankly, and in our opinion rightly, conceded that the order of detention did not appear to suffer from any vice and it was not possible for him to point out any defect in the order of detention. The affidavit in reply filed by the District Magistrate showed that the formalities required by the provisions of the Act had been complied with within the prescribed time limits and the grounds of detention supplied to the petitioner were clear and specific and contained the most detailed particulars in regard to the two incidents there set out and they had clear nexus with the object of detention, namely, maintenance of public order.

2. We therefore, dismiss the petition and discharge the rule.

Petition dismissed.