

SUPREME COURT OF INDIA

Rupesh Kantilal Savla

Vs.

State of Gujarat

(G. B. Pattanaik, R. P. Sethi and Shivaraj V. Patil JJ.)

04.04.2000

ORDER

The Text below is only a summarized version of the order pronounced

It was held that there is no prescribed period for disposal of application of Habeas Corpus but every High Court should dispose it of as expeditiously as possible. Thus, Gujrat High Court should not have taken unusual time in disposing of the detention matter (order of detention was passed u s 3 of the Prevention of Black Marketing and Maintenance of Supplies of Essential Commodities Act, 1980). Also, the representation of the detenu to the Central Government was not disposed of in reasonable time and affidavit of Central Government gave no explanation for it. That was the denial of right under Article 22(5) of the Constitution to the detenu. Thus, detention order in each case was quashed.