

[2023 LiveLaw \(SC\) 547](#)

IN THE SUPREME COURT OF INDIA

C.T. RAVIKUMAR; J., SANJAY KUMAR; J.

Special Leave to Appeal (Crl.) No(s). 8063 - 8064/2018; 17-07-2023

UNION OF INDIA versus DHARANEESH RAJU SHETTY

Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 - Special Leave Petition challenging a report of the Advisory Board / Opinion of the Board under the COFEPOSA Act is not maintainable.

(Arising out of impugned final judgment and order dated 01-05-2018 in WPCRL No. 1270/2018 01-05-2018 in WPCRL No. 1277/2018 passed by the High Court of Delhi at New Delhi)

For Petitioner(s) Mr. K.M. Nataraj, A.S.G. Mr. Mukesh Kumar Maroria, AOR Ms. Shradha Deshmukh, Adv. Mr. Surender Kumar Gupta, Adv. Mr. P.V. Yogeswaran, Adv. Ms. Priyanka Das, Adv. Mr. Alabhya Dhamija, Adv.

For Respondent(s) Ms. Diksha Rai, AOR Mr. Ashish Bhatra, Adv. Ms. Ragini Pandey, Adv. Mr. Ashish Bhatra, Adv. Mr. Rahul Pratap, AOR

ORDER

SLP(Crl.) No. 8063-8064/2018 (Item 49)

Having heard learned counsel on both sides in SLP(Crl) No. 8063/2018, we do not find any reason to grant leave to prefer an appeal as sought for. Hence, this special leave petition stands dismissed for non-compliance with the direction to take steps for service of notice on the sole respondent in SLP(Crl) No. 8064/2018 in terms of the order dated 13.8.2019.

SLP(Crl) No. 1906/2019 (Item 49.1)

Leave is sought for to assail the final order dated 19.6.2018 passed by the Central Advisory Board, Karnataka in Opinion No. 744/ADB/COFEPOSA(C)/2018.

Heard learned counsel on both sides. Learned counsel for the respondent brought to our attention a decision of this Court in ***Union of India v. Nisar Pallathukadavil Aliyar, (2020) 20 SCC 252*** wherein this Court held that a special leave petition seeking to challenge a report of the Advisory Board/Opinion of the Board is not maintainable.

In view of the said decision of this Court, this special leave petition is not maintainable. Consequently, it is dismissed.

Pending application(s), if any, stands disposed of.