

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO.477 OF 2015

Clint Ernest Fernandes
Confined in Visapur District Open Prison,
Visapur, District Ahmednagar ... PETITIONER

VERSUS

The State of Maharashtra
through the Deputy Inspector General
of Police (Prisons), Western Region,
Yerwada, Pune. ... RESPONDENT

.....
Shri P.B. Kadam, Advocate for petitioner
Shri V.D. Godbharle, A.P.P. for respondent
.....

CORAM: S.S. SHINDE AND
A.I.S. CHEEMA, JJ.

DATED: 16th June, 2015.

ORAL ORDER :

1. Heard. The petitioner in the present Writ Petition applied for furlough leave for two weeks. Learned A.P.P. submits, it was granted w.e.f. 26.12.2013. Thereafter on 14.1.2014, he applied for extension of furlough leave and by order dated 3.2.2014, the respondents/ authorities granted the said prayer and accordingly, the petitioner enjoyed the extended

period of furlough leave from 14.1.2014 till 28.1.2014. Thereafter, the petitioner again applied for furlough leave and he was released on furlough leave w.e.f. 9.12.2014 for two weeks. Thereafter, again the petitioner applied for extension of furlough leave which was refused by the respondents/ authorities. Hence this petition.

2. The provisions of Rule 13 of the Maharashtra Prisons (Bombay Furlough and Parole) Rules, 1959 as amended in the year 2003 read thus :

"13. Notwithstanding anything contained in the foregoing rules, the Sanctioning Authority may determine the extension of furlough leave shall be granted for only 14 days only once in a calendar year and no further extension shall be granted to prisoner on the same conditions."

3. In view of the above rule, we do not find any substance in the petition. The petition stands rejected.

(A.I.S. CHEEMA, J.)

(S.S. SHINDE, J.)