

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL WRIT PETITION NO.120 OF 2015
(Govind Jalbaji Pawar vs. The D.I.G. Prison (E)(R) and others)

Office Notes, Office Memoranda of
Coram, appearances, Court's orders Court's or Judge's orders
or directions and Registrar's orders.

Ms. S.H. Bhatia, Advocate (appointed) for petitioner.
Mr. V.A. Thakare, Additional Public Prosecutor for
respondents.

CORAM : A.B. CHAUDHARI AND
 P.N. DESHMUKH, JJ.

DATED : MARCH 4, 2015

The petitioner has approached this Court
being aggrieved by rejection of his application for
transferring him from Amravati Open Prison to
Visapur/Paithan/Nashik Open Prison by the
impugned order dated 15/12/2014 passed by
respondent no.1.

Heard learned Counsel for the parties and
perused the affidavit-in-reply filed by respondents.
It appears that petitioner is undergoing life

imprisonment for the offence punishable under Section 302 of Indian Penal Code.

According to learned Counsel for the petitioner, the relatives of petitioner are residing in Nanded District and it is not convenient for them to visit Amravati Open Prison and, therefore, petitioner is seeking transfer to other Open Prison.

We find that while considering the request of petitioner, the competent Authority has duly considered reports of District Probation Officer, Nanded and Superintendent, Open Prison, Amravati. Both these Authorities have sent adverse report.

On considering the report of District Probation Officer, Nanded, it is found that the District Probation Officer, Nanded had visited the house of petitioner at Mouza Nivdya, Taluq Mudkhed, District Nanded and met his three brothers, but none of them had made any request for petitioner's transfer from Amravati Open Prison to Visapur/ Paithan/Nashik Open Prison. It is further revealed from the said report that mother of the petitioner could not be contacted while his wife was at her parental home.

In the circumstances, we do not find any reason to interfere with the impugned order passed by respondent no.1. The criminal writ petition is, therefore, dismissed.

The fee payable to the learned Counsel appointed for the petitioner is quantified as rupees fifteen hundred.

JUDGE

JUDGE

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