

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

CRIMINAL WRIT PETITION No. 241 of 2015

Devanand Bharatrao Mahakalkar (In Jail)

-Versus -

The Divisional Commissioner, Nagpur Division, Nagpur and another.

*Office notes, Office Memoranda of
 Coram, appearances, Court's orders
 or directions and Registrar's orders.*

Court's or Judge's Orders

Ms. Nirja Choube, Advocate (appointed) for petitioner.
 Smt. P.D. Rane, APP for respondents.

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

DATED : 23rd APRIL, 2015.

1. Petitioner has approached this court being aggrieved by rejection of his application for extension of parole leave by 30 days, claimed on the ground of illness of his mother. The application was filed on 20.10.2010, which came to be rejected by the competent authority on 29.10.2010.

2. We have heard learned counsel for both sides and perused the affidavit-in-reply filed by the respondents. It is noted that petitioner is undergoing life imprisonment for the offence punishable under section 302 of Indian Penal Code vide judgment dated 24.08.2008 passed by the learned Additional Sessions Judge, Bhandara.

3. Having considering the affidavit-in-reply it is noted that petitioner was granted 30 days parole leave on 21.9.2010 and thereafter he applied for extension of parole leave for 30 days on 20.10.2010. It is material to note that Doctor's certificate relied upon by petitioner is as old as of 20.10.2010 and as such is not rightly considered for extension of parole leave by the competent authority. In that view of the matter, we find no reason to interfere with the order passed by the competent authority. Petition is without any substance and is liable to be dismissed as per order below.

ORDER.

1. Criminal Writ Petition No. 241/2015 is dismissed.
2. Legal fees to be paid to the appointed counsel is quantified as Rs. 1,500/-.

JUDGE

JUDGE

Hirekhan