

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

CRIMINAL WRIT PETITION NO. 294 OF 2015.

Ukanda Harisingh Rathod ..vs.. The State of Mah. and anr.

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

Court's or Judge's orders

Mr.Mir Nagman Ali, Adv. for the applicant.
Mr.T.A.Mirza, APP for the State.

**CORAM : B.P.DHARMADHIKARI AND
P.N.DESHMUKH, JJ.**

DATED : JUNE 23, 2015.

Petitioner assails the decision of Committee dated 22nd of April, 2014 whereby benefit of Government Resolution dated 10th of January, 2006 has been declined to him. The State Government has by said Resolution taken a policy decision to release the prisoners who have completed 65 years of their age if terms and condition of that policy decision are fulfilled.

Accordingly, case of petitioner was taken up for consideration and Committee found that as per radiological test age of petitioner was between 50 to 60 years.

Advocate Ali, learned counsel for the petitioner, invites our attention to the certificate produced by the petitioner on record i.e. School Leaving Certificate issued by "Dnyanprakash Vidyalaya Pinjar, Distt.Akola to urge that record date of birth of the petitioner was 8th of December, 1949 and thus on 7th of December, 2014 petitioner has reached age of 65 years.

Decision placed on record and impugned before us is dated 22nd of April, 2014. On that day even as per that certificate petitioner had not completed 65 years of age.

However, in the light of certificate produced on record and

orders passed by us thereafter on 9th of June, 2015, we direct respondents to consider that certificate and to examine entitlement of the petitioner in accordance with G.R.dated 10th of January, 2006, within six weeks from today.

With these directions and keeping all rival contentions open, we dispose of the petition.

No costs.

JUDGE

JUDGE

Chute.