

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

Criminal Writ Petition No. 588 of 2015

(Kishor Panjabsing Chavhan Vs. The D.I.G. Prison (E)(R), Nagpur and ors.)

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

Court's or Judge's order

Mrs. S. P. Kulkarni, Advocate for petitioner (appointed)
Ms. N. R. Tripathi, APP for the State/respondents

CORAM : B. R. Gavai and P. B. Varale, JJ.

DATE : 22-9-2015.

Heard learned counsel for the parties.

By the present petition, the petitioner challenges the order rejecting the extension of furlough leave sought on account of ailment of the mother of petitioner. On perusal of the reply filed by the State, it reveals that the mother of petitioner was suffering from liver cirrhosis and was advised longer treatment. The medical certificate makes it clear that the ground raised by the petitioner was genuine one. Considering the above referred facts, the order impugned in the petition, in our opinion, is unsustainable. In view of the medical certificate, the petition is allowed. The order impugned is set aside.

The period of delay in surrender by the petitioner is directed to be regularised.

The fees of learned counsel appearing for the petitioner is quantified at Rs. 1500/-.

JUDGE

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