

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH : NAGPUR.**

CRIMINAL WRIT PETITION (wp) NO. 884 OF 2015

Rajendra Shivpujan Shukla

v.

The Div. Commr., Ngp. Divn. Ngp. & anr.

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

Courts's or Judge's orders

**Coram : B.P .Dharmadhikari and
V.M.Deshpande, JJ.**

Date : 01st DECEMBER, 2015

Son is already released on parole and his mother, who is also convicted, has not been given benefit of parole.

Learned counsel submits that the earlier application moved by said mother for grant of parole leave for her medical treatment came to be rejected on technical grounds. Therefore he, being relative, has preferred such application which is still pending. He submits that his mother is unwell and has also developed osteoporosis and for that special/expert treatment is necessary. He submits that had she been released on parole, taking advantage of his own parole leave, he could have arranged for her proper treatment. He points out that the entire family (all male members) are languishing in jail.

APP submits that the petitioner is already on parole and his date of reporting back after necessary extension is within one week from today. He submits that as necessary papers are not forwarded by the jail authorities, no decision could be taken on the mother's application.

In this situation, without observing anything on merits of controversy, we direct respondent no. 2 to submit necessary papers to respondent no. 1 within one week from today. Respondent no. 1 shall take suitable decision on the said application which is pending since October, 2015, within a further period of two weeks.

We also grant leave to convict mother, namely Malti Devi to apply in person for such parole in the meanwhile.

With these observations and keeping all the contentions open, we dispose of the writ petition. No costs.

Copy of this order may be furnished to APP to act upon.

JUDGE

JUDGE