

**IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH**

**CRWP-480-2015
Decided on : 11.05.2015**

Ajmer

... Petitioner

Versus

The Commissioner, Rohtak Division and others

... Respondents

CORAM : HON'BLE MS. JUSTICE NAVITA SINGH

Present : Mr. A.S. Trikha, Advocate
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

NAVITA SINGH, J. (Oral)

Counsel for the petitioner submits that the Superintendent District Jail, Karnal was not competent to decide the application of the petitioner because as per the notification of the Haryana Government of 30.07.2007 (Annexure P-2), the Divisional Commissioner could exercise the power under Section 4 of the Haryana Good Conduct Prisoners (Temporary Release) Act, 1988 for temporary release on furlough. The petitioner is in jail for the offence under Section 302 IPC which is mentioned in the notification. The Superintendent of the jail, however, acted in compliance with the order dated 27.01.2015, whereby he was directed to dispose of the application of the petitioner in accordance with law.

The words “authority concerned” are mentioned in the order of this Court but direction was given to the Superintendent Jail. The latter, was to act only in accordance with law i.e., towards the application of the petitioner to competent authority who would be Divisional Commissioner

as per the notification.

It is, therefore, ordered that the application of furlough filed by the petitioner shall be put up by the Superintendent District Jail, Karnal before the competent authority i.e., the Divisional Commissioner, who shall dispose of the same in accordance with law within 15 days from the receipt of the application and Superintendent District Jail, Karnal shall forward the application to the said authority without delay.

In view of the above directions, the present petition is disposed of.

May 11, 2015
Naveen

(NAVITA SINGH)
JUDGE