

FARAD CONTINUATION SHEET No.IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**CRIMINAL WRIT PETITION NO.71 OF 2016**

(Devidas S/o Aadinath Holedhongde **Vs** The State of Maharashtra and others)

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders CORAM : A.V.NIRGUDE & INDIRA K. JAIN, JJ. DATED : 18.03.2016
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Mrs. Bharti Gunjal, Advocate for the petitioner (Appointed)
Mr. S.D. Ghayal, APP for the respondent/ State

1. Perused the petition. Heard submission of the learned counsel for the petitioner. However we are not inclined to entertain this petition because there is equally efficacious remedy available to the petitioner against the impugned order which refused him furlough leave. As per the amended Rule 2 of the Prison (Bombay Furlough and Parole) Rules, 1959 the petitioner is permitted to file appeal against the impugned order to the

Inspector General of Prison within thirty days.

2. Even in the impugned order there is mention of this provision and possibility. Despite this the petitioner in our view, wrongly approached us. We refuse to entertain this petition. We give liberty to make appropriate appeal, as mentioned above.

3. The petition stands disposed of accordingly.

4. Learned counsel for the petitioner shall be paid legal fee of Rs.1500/- forthwith.

[INDIRA K. JAIN, J.] [A.V. NIRGUDE, J.]