

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD**

CRIMINAL WRIT PETITION NO. 183 OF 2016

Kamru @ Javed Hanif Lalakhan

.. **PETITIONER**

VERSUS

The State of Maharashtra
& others

.. **RESPONDENTS**

Mr. A.D. Ostwal, amicus curiae (appointed) for petitioner.
Mr. K.S. Patil, APP for the State.

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**CORAM : R.M. BORDE &
K. L. WADANE, JJ.
DATE : 29th MARCH, 2016.**

OPERATIVE ORDER :

1. Petitioner is aggrieved by order of rejection of his application for extension of furlough in view of order passed on 25.11.2015 by the Deputy Inspector General (Jail), Aurangabad.

2. Petitioner was granted furlough for the period between 17.10.2015 to 01.11.2015. He tendered application for extension of furlough on 23.10.2015 which has been rejected on 25.11.2015. Petitioner admittedly has over-stayed and surrendered before jail authority on 15.11.2015 i.e. after lapse of about 14 days of the furlough. The act of over staying beyond the prescribed period itself dis-entitles petitioner to claim extension of order passed by the Deputy Inspector General (Jail), Aurangabad. The impugned order appears to be proper and reasonable and does not call for any interference in exercise of extra ordinary jurisdiction under Article 226 of the Constitution of India. It would be open for the petitioner to tender fresh application as

permissible under the prison rules.

3. In view of above, writ petition stands rejected.

4. Mr. Ostwal, learned counsel appointed to work out writ petition shall be paid Rs. 5,000/- towards his professional charges.

(K. L. WADANE)
JUDGE

(R. M. BORDE)
JUDGE

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