

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

CRIMINAL WRIT PETITION NO.1419 OF 2016

Yovel s/o Vijaykumar Gauri

...PETITIONER

VERSUS

- 1) The State of Maharashtra,
Through Secretary, Home Department,
Mantralaya, Mumbai,
- 2) The Inspector General of Prisons,
Maharashtra State, Pune,
- 3) The Superintendent of Open Prison,
Visapur, Dist-Ahmednagar,
- 4) The Superintendent of Central Prison,
Kolhapur, Dist-Kolhapur,

...RESPONDENTS

...

Ms. Bharti B. Gunjal Advocate for Petitioner.
Mr.A.A. Jagatkar, A.P.P. for Respondent Nos.1
to 4.

...

**CORAM: S.S. SHINDE AND
K.K. SONAWANE, JJ.**

DATE : 6TH DECEMBER 2016

ORDER :

1. Heard the learned counsel appearing for
the Petitioner and learned A.P.P. appearing for

the State. Perused the reply filed by the Respondents and in particular Para 8 thereof. It is stated in Para 8 of the reply that, the Advisory Board has decided the proposal of the Petitioner and has now forwarded the same through the Additional Director General of Police and Inspector General of Prisons, Maharashtra State, Pune to the Secretary, Home Department, PRS 3, Mantralaya, Mumbai for final orders/ decisions.

2. We direct Respondent No.1 to take decision on the said proposal as expeditiously as possible, however within six weeks from today and communicate the said decision to the Petitioner and also to the concerned Superintendent of Jail.

3. We are also constrained to observe that the Respondents should have taken the steps to forward the proposal and take the decision in accordance with the guidelines / circulars issued by the State. However, in the present case, the

Respondents have not adhered to the time frame given in the guidelines / circulars. We issue the word of caution to the Respondents to take care in future to follow the guidelines / circulars scrupulously.

4. We further make it clear that in case no decision is taken within six weeks from today, this Court may pass appropriate order summoning Respondent No.1 to appear before this Court.

5. With the above observations, the Writ Petition stands disposed of.

. The learned A.P.P. assures this Court that order passed today will be communicated to the Respondents by the fastest mode of communication through the office of the Public Prosecutor.

[K.K. SONAWANE, J.]

[S.S. SHINDE, J.]