

2012. Note (3) of Rule 2 in Chapter XXXVII of the Maharashtra Prison Manual, 1979 which deals with furlough and parole states that "If at any time, a prisoner who could have been granted furlough is either not granted or refused the same, the period for which he could have been granted the furlough, shall not be carried forward but shall lapse".

4. In view of the above Rule, it is clear that the period of furlough which was being sought in the year 2012 cannot be carried forward. In this view of the matter, it would be appropriate that the petitioner prefers a fresh application for furlough. In case the petitioner prefers a fresh application for furlough, the DIG(Prisons), who is the concerned authority, shall decide the same expeditiously.

5. In view of the above, Rule is discharged.

6. Office to communicate this order to the petitioner, who is in Kolhapur Central Prison. The fees to be paid to the appointed counsel are quantified at Rs.2,000/-.

(MRS. MRIDULA BHATKAR,J.) (MRS. V.K. TAHILRAMANI, J.)