

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH : NAGPUR.**

CRIMINAL WRIT PETITION (wp) No. 843 OF 2015

Sunil Nilbaji Burde

v.

The D.I.G. Prisons (E), Nagpur & anr.

Office Notes, Office Memoranda of Coram
appearances, Court's orders or directions
and Registrar's orders.

Courts's or Judge's orders

**Coram : B.P .Dharmadhikari and
V.M.Deshpande, JJ.**

Date : 27th JANUARY, 2016

Heard Ms. Choubey, learned appointed counsel
for the petitioner and learned APP for the State.

Perused the reply. Furlough leave has been
refused on the ground that the petitioner did not report
back on due dates on the previous occasions.

After hearing respective counsel, we find that
though the petitioner did not report back on due dates
between 2005 to 2013, on the last two occasions, i.e. on
8.7.2014 and 16.10.2014 he has reported back on due
dates. In this situation, the respondents themselves have
condoned the earlier lapses and extended benefit of
furlough leave. We, therefore, find the impugned order
unsustainable in law and quash the impugned order. We
direct the respondents to release the petitioner on

furlough leave after obtaining necessary undertaking and bonds.

Professional charges for the learned counsel appointed to represent the petitioner are quantified at Rs.1500/-.

JUDGE

JUDGE

/TA/