

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL WRIT PETITION NO. 952 OF 2015

(Laxman Indarsingh Rawat vs. State of Maharashtra thr. D.I.G. (E)(R), Nagpur & Ors.)

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

Court's or Judge's orders

**CORAM : B.P. DHARMADHIKARI &
V.M. DESHPANDE, JJ.
FEBRUARY 01, 2016.**

Heard Ms. Saikhede, learned counsel (appointed) for the petitioner and Mrs. N.R. Tripathi, learned APP for the respondents.

Perused the reply affidavit.

The petitioner sought extension of his furlough leave. At the end of extension period sought, he has voluntarily surrendered back. His prayer for extension is still reported to be pending.

In this situation, on 15.12.2015, while issuing notice in the matter, we have asked the respondents to refund cash surety of Rs.20,000/- offered by the petitioner.

The learned APP has pointed out that as extension was not allowed, the petitioner could not have overstayed. She further states that as prayer for extension is still not rejected, cash surety cannot be refunded.

Ms. Saikhede, learned counsel states that the petitioner is facing financial difficulties.

Therefore, we direct the respondents to

decide extension application moved by the petitioner within a period of eight weeks from today. After its adjudication, the amount of cash surety furnished by the petitioner shall be returned/ refunded to him within a further period of two weeks.

Criminal Writ Petition is accordingly partly allowed and disposed of.

The charges of counsel appointed for the petitioner are fixed at Rs.1,500/-.

JUDGE

JUDGE

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