IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.2054 OF 2017

Dhirendra G. Chauhan .....Petitioner
V/s.
The State of Maharashtra .....Respondent

Mr. Prosper D'Souza, Advocate appointed for Petitioner.
Ms. M.H.Mhatre, APP for Respondent-State.

CORAM : SMT. V.K. TAHILRAMANI, &
SANDEEP K. SHINDE, JJ.

DATE : July 13, 2017.

ORAL JUDGMENT : [Per Smt. V.K.Tahilramani, J.]

Heard both sides. The petitioner preferred an application for parole on 25.4.2016 on the ground of ailment of his mother. The said application was rejected by order dated 5.12.2016 hence, this petition.

2 It is seen that against the order of rejection of application for parole, there is remedy of an appeal and the petitioner has not exhausted that remedy and has directly approached this Court. Constitution Bench of the Supreme

Court in the case of **Thansingh Nathmal and Ors. vs Superintendent Of Taxes Dubri** reported in **AIR 1964 SC 1419** has observed that when alternate efficacious remedy is available, writ petition should not be entertained.

3 In view of the above facts, we are not inclined to entertain this petition and the petitioner is relegated to the remedy of preferring an appeal against the order of rejection of his application for parole, hence, the rule is discharged.

(SANDEEP K. SHINDE, J) **(SMT. V.K. TAHILRAMANI, J)**