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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL WRIT PETITION NO. 3865 OF 2016
(THROUGH JAIL)**

Mohammad Raees Shahjade Ansari	...Petitioner
Versus	
The State of Maharashtra	...Respondent

Ms.Nasreen S.K. Ayubi, Advocate appointed for the Petitioner.

Ms.G.P.Mulekar, A.P.P for the Respondent-State

**CORAM : SMT.V.K.TAHILRAMANI &
REVATI MOHITE DERE, JJ.**

DATE : 2nd MARCH, 2017

ORAL JUDGMENT (Per Smt. V. K. Tahilramani, J.) :

1. Heard both sides.
2. The petitioner preferred an application for parole on 28th April, 2016. The grievance of the petitioner is that though he preferred an application for parole on 28th April, 2016, till the date of filing of the petition i.e. 16th September, 2016, his application was not decided by the Divisional Commissioner, Nashik. Hence, this petition.

3. Learned APP pointed out that the application of the petitioner for parole came to be rejected by order dated 14th September, 2016. The said order could not be communicated to the petitioner by 16th September, 2016, hence, the petitioner has preferred this petition. She submitted that thereafter the petitioner preferred an appeal against the order of rejection and the appeal also came to be rejected by order dated 28th November, 2016. Thus, it is seen that the application of the petitioner for parole as well as his appeal has been decided. Hence, no case is made out for interference. Rule is discharged.

4. If the petitioner wants to challenge the order of rejection or dismissal of the appeal, it would be open for him to prefer a fresh petition.

5. Office to communicate this order to the petitioner, who is in Nashik Road Central Prison, Nashik.

(REVATI MOHITE DERE, J.)

(V.K.TAHILRAMANI, J.)