

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

Criminal Writ Petition No.893 of 2017

(Swapnil Mahadeo Shamkuwar .vs. The Superintendent, Central Prison, Nagpur and another)

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

Court's or Judge's Orders

Mr.D.S.Lambat, Advocate (appointed) for the petitioner.

CORAM : SMT VASANTI A NAIK &
M. G. GIRATKAR, JJ.

DATE : 27.9.2017.

The only prayer made by the petitioner in this petition is for a direction to the respondents to decide the application of the petitioner for grant of parole leave.

The cause of action for filing the petition would not survive due to passage of time. The application was made by the petitioner for grant of parole leave on 20.5.2016. If the application was not decided within a reasonable time, the petitioner should have approached this Court immediately. The application is filed more than one year after the father of the petitioner was suffering from illness. The cause for seeking parole leave may not be existing on this day. If an occasion arises in future, the petitioner can as well apply for parole or furlough leave as the case may be.

Since the relief sought by the petitioner cannot be granted, the Writ Petition is dismissed with no order as to costs.

The professional fees of the learned Counsel for

the petitioner are quantified at Rs.1500/-.

JUDGE

JUDGE

**jaiswal*