

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPCR No. 518 of 2017**

- Mahendra Kumar Dewangan S/o Late Shri Fakir Ram Dewangan, Aged About 57 Years R/o Village Panduka, P. S. Panduka, District Gariyaband Chhattisgarh, Through Dharendra Kumar Dewangan, S/o Late Shri Fakir Ram Dewangan, Aged About 54 Years R/o Village Panduka, P. S. Panduka, District Gariyaband Chhattisgarh

---- Petitioner**Versus**

1. State of Chhattisgarh Through Its, Principal, Secretary, Department Of Home (Jail) Mahanadi Bhavan, Mantralaya, Naya Raipur, District Raipur Chhattisgarh
2. The Jail And Correctional Services Chhattisgarh, The Director General Prisons, Jail Road Raipur, District Raipur Chhattisgarh
3. The Jail Superintendent Central Jail Raipur, District Raipur Chhattisgarh
4. The District Magistrate, Gariyaband, District Gariyaband Chhattisgarh
5. The Superintendent of Police Gariyaband, District Gariyaband Chhattisgarh

---- Respondents

For Petitioner	:	Shri Sunil Verma, Advocate
For Respondents-State	:	Shri S.K. Mishra, PL for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****06/03/2018**

1. By the instant petition the petitioner has prayed for grant of following reliefs:-

- 10.1** To call for entire records from respondents pertaining to petitioner's leave case for kind perusal of the Hon'ble High Court.
- 10.2** To direct respondents to release petitioner on leave under the Chhattisgarh Prisoner's Leave Rules 1989.
- 10.3** To quash order rejecting leave of petitioner, if formally passed by DM.

10.4 To grant any other relief deemed fit and proper in facts and circumstances of the case.”

2. In the reply, the State has contended that the petitioner has not submitted any application for grant of ordinary leave as per the provisions of Chhattisgarh Prisoner's Leave Rule, 1989 before the respondent authority.
3. Learned counsel for the petitioner would submit that the application was submitted, however, he was orally informed that his application was rejected.
4. In view of the above, since it is the contention of the State that the application for parole has not been filed, the petitioner shall be at liberty to file the suitable application before the concerned Jail Superintendent or the concerned authority and it is also directed that the Legal Aid may be provided to the petitioner when the Legal Aid sitting are held in the Jail Premises. District Legal Services Authority of the area shall ensure the compliance of this order.
5. With such observation, the petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge

Ashu