

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL WRIT PETITION NO. 115/2018

(YUNUS KHA DILAWAR KHA PATHAN (IN JAIL) VERSUS THE DIVISIONAL COMMISSIONER,
 AMRAVATI DIVISION, AMRAVATI & ANOTHER)

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

Court's or Judge's orders

Ms S.B. Khobragade, counsel for the petitioner.
 Shri A.M. Joshi, A.P.P. for the respondents.

CORAM : SMT. VASANTI A NAIK AND
A.D. UPADHYE, JJ.

DATE : FEBRUARY 16, 2018.

By this writ petition, the petitioner challenges the order of the respondent no.1, dated 13.12.2017 rejecting the application of the petitioner for extension of parole leave.

On hearing the learned counsel for the parties and on a perusal of the record, it appears that the petitioner was released on parole for thirty years due to the ill-health of his wife and the application made by the petitioner for extension of parole leave for fifteen days was rejected as the petitioner had not produced any document to show that the wife of the petitioner was seriously ill and the parole leave was liable to be extended. An adverse police report was received after the petitioner sought for the extension of the parole leave.

We do not find any illegality in the impugned order as it does not appear from the record that the wife of the petitioner was seriously ill and that it was necessary for the petitioner to take her care during her illness. In the absence of any material to support the case of the petitioner that his wife was extremely ill, the learned Divisional Commissioner had rightly rejected the application for extension of parole leave.

Since there is no scope for interference with the impugned order, we dismiss the writ petition with no order as to costs.

JUDGE

JUDGE

APTE