

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

CRIMINAL APPLICATION (APPW) NO. 199 OF 2018
IN CRIMINAL WRIT PETITION NO. 434 OF 2016

(Rajendra s/o Dinasingh Rathod, Convict No. C-6329 (Detained in Central Prison, Nagpur) vs.
State of Maharashtra thr. the Divisional Commissioner, Nagpur Division, Nagpur & Ors.)

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

Court's or Judge's orders.

CORAM : S.B. SHUKRE &
S.M. MODAK, JJ.
DECEMBER 12, 2018.

Heard Mrs. K.R. Deshpande, learned APP for the non-applicants/ respondents, on whose behalf the present application has been filed.

The petitioner has been duly served with the notice, however, nobody appears on his behalf. Ordinarily, we would have directed the High Court, Legal Aid Committee, Nagpur, to provide services of an Advocate to the petitioner but for the order dated 14.07.2016 which leaves no doubt regarding the category in which the original petitioner has been placed, so we refrain from doing so.

The order dated 14.07.2016 places the petitioner in the category of the prisoners who have completed 24 years of imprisonment. The order passed by this Court on 28.09.2016 also accepts this fact but mentions that the petitioner has been categorized and put under 22 years of imprisonment.

This is an error which is apparent on the face of record and appears to be the result of some clerical or

inadvertence on the part of the concerned. Therefore, this application deserves to be allowed and it is accordingly allowed. The words “22 years category” appearing in para 3 of the order dated 28.09.2016 be deleted and substituted by the words “*24 years category*”.

The order dated 28.09.2016 be corrected accordingly and a copy thereof be furnished to the learned APP for the State as well as to the petitioner through the Jail Superintendent, Central Prison, Nagpur.

Criminal Application is disposed of accordingly.

JUDGE

JUDGE

*GS.