

IN THE COURT OF JUDICATURE AT BOMBAY  
NAGPUR BENCH, NAGPUR  
CRIMINAL APPLICATION (APPW) No.207/2018  
IN  
CRIMINAL WRIT PETITION NO.642/2017 (D)  
(Jaikumar @ Babu s/o Bhimrao Kadam vs. State of Maharashtra &  
another)

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

Court's or Judge's order

Mrs. S.P. Dhotre, Adv. ( appointed) for applicant  
Ms.Hemlata Jaipurkar, APP for respondents

CORAM : P.N. DESHMUKH &  
MRS. SWAPNA JOSHI, JJ.  
DATED : 19<sup>th</sup> November, 2018.

Learned APP seeks further time to make a statement with regard to orders, if any, passed on the application of petitioner made in pursuance to the order of this Court dated 4<sup>th</sup> September, 2017 passed in Criminal Writ Petition No.642/2017. The record reveals that sufficient time was already granted to respondents to make a statement and on the last date last chance was granted till today. Even today, for want of instructions, further time is prayed.

We find that the limited prayer in this Application is for a direction to respondents to decide the application filed by the petitioner for grant of parole leave. It is found that the application filed as aforesaid on 2<sup>nd</sup> April, 2017 is not yet decided and for passing orders thereon the petitioner had already preferred above-numbered Criminal Writ Petition wherein directions were issued on 4<sup>th</sup> September, 2017 to the effect that the respondent no.1- Divisional Commissioner to decide the parole application as early as possible and within one month. In spite of such

order, the petitioner's application is not decided.

In the instant Application also, inspite of sufficient time granted, no statement could be made by learned APP for want of instructions if application is decided. In that view of the matter we allow Criminal Application No.207/2018 with direction to respondent no.1 to decide the application dated 2<sup>nd</sup> April,2017 filed by the petitioner for parole leave expeditiously and in any case by 7<sup>th</sup> December, 2018. The Application is disposed of in above terms.

The professional fee of learned counsel, who is already appointed in Criminal Writ Petition No.642/2017, is qualified at Rs.1500/- (rupees fifteen hundred).

**JUDGE**

**JUDGE**

sahare