

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No.10733 of 2018

Date of decision: September 28, 2018

Gurpreet Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

Coram: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. Kulbir Singh Sekhon, Advocate,
for the petitioner.

Rakesh Kumar Jain, J.

The petitioner has prayed for the issuance of a writ in the nature of *mandamus*, directing the respondents to release him on 6 weeks' parole to meet his family members and for house repair.

After perusal of record, it is found that the prayer made by the petitioner for his temporary release on 6 weeks' parole has already been considered and rejected by the District Magistrate, Moga, vide his order dated 05.12.2017.

In such circumstances, the writ of *mandamus* cannot be issued until and unless prayer is made by the petitioner for the issuance of a writ in the nature of *certiorari* for quashing the order dated 05.12.2017 by which his prayer has already been rejected by the competent authority.

Consequently, the present petition is hereby dismissed on this short ground alone.

September 28, 2018
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(Rakesh Kumar Jain)
Judge

Whether speaking / reasoned:

Yes/No

Whether Reportable:

Yes/No