

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL WRIT PETITION NO. 898 OF 2019

Sheshrao S/o. Nana Dhavale (C-4725)
Open Prison, Paithan. .. Petitioner.

Versus

1. State of Maharashtra,
Through Superintendent of Jail,
Open Prison, Paithan.
2. State of Maharashtra,
Through Secretary,
Home Department (Prison),
Jalna – 400005. .. Respondents.

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Mr. Rupesh A. Jaiswal, Advocate for Petitioner.
Ms. V. S. Choudhari, APP for Respondents – State.

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**CORAM : T.V. NALAWADE &
K. K. SONAWANE, JJ.**

DATED : 10th JULY, 2019.

ORAL JUDGMENT :- (PER : T.V. NALAWADE, J.)

Rule. Rule made returnable forthwith. Heard finally, with consent of learned counsel for the parties.

2. Present proceeding is filed seeking directions to the authority concerned to decide the proposal in respect of premature release of the petitioner.

3. The petitioner is convicted for the offence of murder as he has already undergone more than 22 years and six months imprisonment. A proposal is already forwarded to the Government.

The petitioner has no knowledge about the proposal, but, he be placed in the category, in which, he will be required to undergo imprisonment for a period of 22 years. Therefore, the petitioner wants to decide the proposal as early as possible. According to him, the proposal is pending since 2017. It is unfortunate that in such cases, a decision can be taken within few a months on such proposal by the authority. However, yet no decision is taken it. Therefore, this Court holds that necessary directions are required to be issued in present matters.

4. Accordingly, authority concerned is directed to decide the proposal of the petitioner as expeditiously as possible, preferably within a period of (30) days from the date of this order. The Writ Petition is allowed in terms of prayer clause 'A'. Rule is made absolute in above terms. No order as to costs.

[K. K. SONAWANE]
JUDGE

[T.V. NALAWADE]
JUDGE

MTK.