

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

**904 CONT. PETITION NO.874 OF 2018
IN
CRIMINAL WRIT PETITION NO.708 OF 2018**

**RAMDAS ALIAS ANNA CHIMAJI SHINDE
VERSUS
THE STAE OF MAHARASHTRA AND ANOTHER**

...

Advocate for Petitioner : Ms. Bharati B. Gunjal
AGP for Respondents: Mr. A. R. Kale
Mr. Irshad Sayyad Jailor Gr-II Aurangabad Central Prison present

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**CORAM : PRASANNA B. VARALE
AND
S. M. GAVHANE, JJ.**

DATE : 7th February, 2019

ORAL ORDER :

1. Heard the learned Counsel for the petitioner.
2. While issuing notice on 6th December, 2018, we have referred to the grievance of the petitioner. At the cost of repetition, we suggest that the petitioner approached this Court seeking directions in the nature of quashment of the order passed by respondent No. 2 without stating the facts in detail. Suffice it to state that the petitioner payed for his transfer to open prison. The Division Bench of this Court by judgment and order dated 9th July 2018 remitted the matter back to respondent Nos. 2 and 3 to consider the grievance raised by the

petitioner and then further directed respondent Nos. 2 and 3 to take decision within a stipulated period.

3. The learned AGP on the instructions received from Mr. Irshad Sayyad, Jailor Gr.II, Aurangabad Central Prison, placed on record decision of the committee. On perusal of the proceedings and the ultimate decision of the committee show that the prayer of the petitioner is favorably considered and the Superintendent of Prison recorded his remark/opinion that the petitioner be transferred to Aurangabad open prison.

4. The competent committee accepted the recommendation of the Superintendent and decided that the petitioner is entitled for his transfer to open prison. The learned AGP submitted that in view of the decision of the competent committee only formal orders are to be issued by the Additional D.G.P, Prison and these consequential formal orders would be issued within a week. We see no reason not to accept this statement made in this Court by the learned AGP on instructions. As the grievance of the petitioner is redressed, nothing survives in the Contempt Petition. Contempt Petition is accordingly disposed of.

(S. M. GAVHANE, J.)

(PRASANNA B. VARALE, J.)