

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5060 OF 2015

Prabhakar Vitthal Gholve ... Petitioner
Vs
The State of Maharashtra & Ors. ... Respondents
...
None for the Petitioner.
Mr. J.P.Yagnik, APP for the Respondent-State.

CORAM : B.P.DHARMADHIKARI &
SANDEEP K. SHINDE JJ.
DATE : AUGUST 20, 2019

P.C. :

This matter has remained pending without any orders since December, 2015. Petition is registered on letter dated 17th November, 2015 sent by prisoner Prabhakar Vitthal Gholve. He has pointed out that after completing more than 10 years of life sentence in Yerwada Central Prison after following procedure, he came to be selected for open prison. He has been then transferred to Kolhapur Open Prison.

2 His submission is, he hails from Tehsil Barshi,
District: Solapur. His wife is aged and sick, and journey

to Kolhapur would be more tedious.

3 The learned APP has invited our attention to the order dated 28th February, 2014 and submitted that the Competent Authority has considered request for transfer to Pune and rejected it.

4 That order has been questioned in the present petition. Order does not show any reasons for refusing the request.

5 However, as the matter has remained pending for about four years and the learned APP has no instructions, we are inclined to dispose of the same with direction to authorities to re-consider the request as per law.

6 Suitable decision afresh shall be taken within three months after communication of this order to the Competent Authority.

7 Petition is, accordingly, disposed of .

8 Copy of this order shall be served to the prisoner in jail.

(SANDEEP K. SHINDE, J.)

(B.P.DHARMADHIKARI, J.)