

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

WRIT PETITION NO.3683 OF 2019

Machindranath Gurunath Mali

...Petitioner

vs.

The State of Maharashtra

...Respondent

Mr. Subir Sarkar for the Petitioner.

Mr. Arfan Sait, APP for the Respondent/State.

Mr. P. M. Nagawade, Jailor-Gr-2, Nashik Jail.

**CORAM : B. P. DHARMADHIKARI &
MRS. SWAPNA S. JOSHI, JJ.**

DATE : 14/08/2019.

P.C.:

. Heard learned counsel (appointed) for the petitioner and learned APP. Perused the GR dated 3/6/2017 prescribing the eligibility for benefit of remission under Dr. Babasaheb Ambedkar 125th Birth Anniversary scheme.

2. We find that the GR is modified on 19/11/2018.

3. The appraisal report in the present matter sent by District Judge -5 & Additional Sessions Judge, Thane is dated 14/3/2019. It is obvious that GR dated 19/11/2018 has not been looked into at that juncture.

3. We therefore direct District Judge-5 & Additional Sessions Judge, Thane to submit a fresh appraisal report in terms of position now prevailing within a period of 4 weeks from the date of communication of

this order to it.

4. Competent Authority shall thereafter take further decision within a period of next 6 weeks.

5. The petition is accordingly partly allowed and disposed of. This order be communicated to the District Judge-5 & Additional Sessions Judge, Thane as also to the prisoner in jail.

(MRS. SWAPNA S. JOSHI, J.)

(B. P. DHARMADHIKARI, J.)