

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

WRIT PETITION NO.3967 OF 2019

Mayur Mulaji Parmar

...Petitioner

vs.

The State of Maharashtra and Ors.

...Respondents

Mr. Daulat G. Khamkar for the Petitioner.

Mr. J. P. Yagnik, APP for the Respondent/State.

CORAM : B. P. DHARMADHIKARI &

MR. SANDEEP KASHINATH SHINDE, JJ.

DATE : 21/08/2019.

P.C.:

. Heard Mr. Khamkar, learned counsel for the Petitioner and learned APP.

2. We find rejection of parole unsustainable because earlier on more than 4 occasions he has been released either on furlough or parole and has reported back on due date. Apprehension expressed by police and accepted by the Authority therefore is unsustainable.

3. Parole was sought on the ground of ill-health of son Dhaval. Application for parole was moved prior to 25/9/2018.

4. In this situation, we grant the petitioner leave to move fresh application if need still subsists with proper certificate of Doctor.

5. If such application is moved, the Authority shall consider it as per law keeping in mind the above observation of the Court, within a

period of 4 weeks of its receipt.

6. The petition is accordingly allowed and disposed of.

(SANDEEP KASHINATH SHINDE, J.)

(B. P. DHARMADHIKARI, J.)