

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL WRIT PETITION NO.394 OF 2019
(Dinesh Shivprasad Tiwari vs. The State of Maharashtra and another)

Office Notes, Office Memoranda of
Coram, appearances, Court's orders Court's or Judge's orders
or directions and Registrar's orders.

Shri C.D. Wasade, Advocate (appointed) for petitioner.
Shri M.K. Pathan, Additional Public Prosecutor for
respondents.

CORAM : P.N. DESHMUKH AND
 PUSHPA V. GANEDIWALA, JJ.

DATED : JULY 2, 2019

Heard learned Counsel for the parties.

The only prayer in the petition is to grant
remission to the petitioner as per Government Resolution
dated 3/6/2017 issued in view of 125th Birth Anniversary
of Dr. Babasaheb Ambedkar.

In the affidavit-in-reply placed on record, it is
stated by respondent State that such remission has been
declared vide Government Resolution dated 3/6/2017
and accordingly necessary communication was sent to
learned Additional District and Sessions Judge, Akola for
his opinion on 10/5/2019 and thereafter reminders are
stated to be issued on 21/5/2019 and 6/6/2019.
However, opinion is still awaited.

In view of above facts, we find no reason to
keep petition pending as same can be disposed of by
issuing direction to learned Additional District and

Sessions Judge, Akola. Hence, following order :

The petition is disposed of with a direction to learned Additional District and Sessions Judge, Akola to decide the case of petitioner referred to him by respondent no.2 for grant of remission by his communications dated 10/5/2019, 21/5/2019 and 6/6/2019. We expect that necessary steps would be taken by the concerned Judicial Officer within a reasonable period, which should not exceed one month from the date of receipt of writ of this Court and further direct the competent Authority to take a decision within two weeks from the date of receipt of opinion from the learned Additional District and Sessions Judge, Akola. We grant liberty in favour of petitioner to take suitable steps in the event his request for remission is rejected.

The fee payable to learned Counsel appointed for petitioner is quantified as rupees fifteen hundred.

JUDGE

JUDGE

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