

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

WRIT PETITION NO.350 OF 2020

Harjeet Kaur, for the Petitioner.
Dr.F.R. Shaikh, APP for the State.

DATE : 23rd JANUARY, 2020.

1] Heard learned counsel for the Petitioner and learned APP for the State. Perused the order dated 16th August, 2018 and appellate order dated 13th December, 2018 rejecting the request of the petitioner for release on parole due to ill-health of his father.

2] We need not delve more into the matter, because the application was moved by the petitioner on 21st June, 2018 and as of now period of more than one and half year has expired thereafter.

3] However, in the present petition, there is a medical certificate in respect of Khijar Ajam Shaikh, dated 21st November, 2019 which points out some abdominal ailment and therefore need of surgery.

4] Learned APP has stated that no such certificate was provided to the Authorities, hence the authorities have not looked into it. He is justifying the order of rejection of furlough.

5] In this situation, we find that interest of justice can be met with by permitting the petitioner to apply afresh with necessary medical documents to show health of his father and need of surgery, if any. Respondent/State can verify those documents and pass suitable orders in accordance with law. If such application is moved within two weeks from today, the Authorities shall consider it as per law within next four weeks.

6] With these observations and directions, we dispose of the Petition.

[N.R.BORKAR, J.]

[B.P.DHARMADHIKARI, J.]