

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 3914 OF 2018

Bashir Ahmed Usman Gani Khairulla ... Petitioner

Versus

The Dy. Inspector General and anr. ... Respondents

Mr. Vinay Bhanushali for the petitioner.

Mr. S.R. Shinde, APP for the respondent State.

CORAM : B.P. DHARMADHIKARI &
NITIN R. BORKAR, JJ.
DATE : JANUARY 22, 2020

P.C.:

Prisoner points out that he has put in more than 25 years behind the bar and though the other convict under TADA case by name Sardar Shah Vali Khan has been appointed as watchman on 15/3/2013, the same treatment has not been extended to him.

2. Learned APP is relying upon the report dated 13/11/2019 sent by the Superintendent of Nashik Road Central Prison to his office. The said report is taken on record as Exh. "A" which shows that the claim of the petitioner was rejected by the Selection Committee on 27/10/2018 and thereafter on 31/7/2019. On both the occasions, he is found unfit. It is also mentioned that the prisoner has not been doing the work assigned to him.

3. Learned APP adds that the prisoner is convicted in Bombay Blast case and therefore, not eligible for promotion as watch/Night watchman.
4. However, there is no explanation about the promotion given to the prisoner C-6608 Sardar Shah Vali Khan. We therefore, direct the respondents to supply necessary details to the petitioner within four weeks from today.
5. With a liberty to the petitioner to approach again with appropriate material in the light of this order, we dispose of the present petition.
6. This order be communicated to the prisoner in jail.

(NITIN R. BORKAR, J.)

(B.P. DHARMADHIKARI, J.)