

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.235 OF 2021

Vitthal Baban Pichad & Ors. .. Petitioners

Vs

Externment Authority & Supdt.
of Police, Rural Pune & Ors. .. Respondents

...

Mr. Balasaheb Deshmukh for the petitioners.

Dr. F.R. Shaikh, A.P.P. for the State.

...

**CORAM: S.S. SHINDE &
MANISH PITALE, JJ.**

DATED : 28TH JANUARY, 2021.

P.C:-

1. Learned counsel appearing for the petitioners restricts the relief in the terms of prayer clause (a) of the petition, which reads as under:

(a) Be pleased to issue the Writ of Mandamus, writ in the nature of Mandamus, any other appropriate Writ, Order, Directions calling for

the record and proceedings of the pending Externment Appeals and stay applications filed by the petitioners before the Respondent No.3 and after going to the same, be pleased to direct the Respondent No.3 to decide the appeals and pending stay applications within a period of two weeks or this Hon'ble Court may deem fit and proper for the reasons and circumstances mentioned herein above."

2. Learned counsel submits that the petitioners would be contended in case a direction is given to the appellate authority to decide their pending appeal viz. Externment Proceeding No.6933 of 2020 registered by respondent No.1.

3. Learned counsel further submits that petitioner No.1 has to attend a training camp for one month from 01/02/2021 to 01/03/2021 at Vadodara, Gujarat. Therefore, he prays that petitioner No.1 may be exempted from attending the police station.

4. In the light of submissions made across bar, we pass the following order:

:ORDER:

- (a) Respondent No.3 i.e. Divisional Commissioner, Pune Division, Pune, shall decide the appeal

filed by the petitioners, if not already decided, as expeditiously as possible, however, within three weeks from the date of receipt of a copy of this order. Needless to say that while deciding such appeal, the appellate authority shall strictly adhere to the principles of natural justice.

- (b) Since petitioner No.1 has to attend the training camp for one month from 01/02/2021 to 01/03/2021 at Vadodara, Gujarat, his attendance at the police station from today till 05/03/2021 stands exempted.

5. With the above observations, the petition stands disposed of.

6. Parties to act on an ordinary copy of this order duly certified by the Sheristedar of this court.

(MANISH PITALE, J.)

(S.S. SHINDE, J.)