

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

CRIMINAL WRIT PETITION NO. 41 OF 2021

Abdul Zahid @ Raju Abdul Rashid (in jail),
..VS..
Deputy Inspector General (Prisons) (East) Nagpur and Anr.,

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

Court's or Judge's orders

Shri M. N. Ali, Advocate for the petitioner.
Mrs. N. R. Tripathi, A.P.P. for the respondents.

CORAM : SUNIL B. SHUKRE AND
AVINASH G. GHAROTE, JJ.

DATED : 24.02.2021

Heard.

2. There is an alternate remedy of appeal available under Rule 2 of the Prisons (Bombay Furlough and Parole) Rules, 1959 and therefore, learned counsel for the petitioner, on instructions, seeks leave of the Court to withdraw the petition with liberty to file an appeal in the matter and also prays for issuance of necessary directions to the Appellate Authority i.e. Inspector General (Prisons), Pune.

3. Leave to withdraw the petition with liberty to file an appeal is granted subject to the directions that the Appellate Authority shall condone the delay which has occurred in filing the appeal and shall decide the appeal

in accordance with law within a period of 45 days from the date on which, the appeal is filed.

The Writ Petition is disposed of accordingly.

JUDGE

JUDGE

Kirtak