

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

CRIMINAL WRIT PETITION NO.209 OF 2020

Mangesh @ Nilesh Ambadas
Palaspagar, Convict 4720.
Central Prison, Nagpur.

..... PETITIONER

// VERSUS //

1.State of Maharashtra,
through D.I.G. (Prisons)
(East), Nagpur.
2.Jail Superintendent,
Amravati Central Jail,
Amravati.

..... RESPONDENT

Mr.Mohd. Waheed Opai, Advocate h/f. Mr.M.N.Ali,
Advocate for the petitioner.
Mr.A.S.Fulzele, A.P.P. for Respondent Nos. 1 and 2.

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

DATE : 9.2.2021.

ORAL JUDGMENT (Per Sunil B. Shukre, J) :

1. Rule returnable forthwith. Heard finally with the consent of learned Counsel for the parties.

2. A limited prayer has been made in this petition regarding decision on the application dated 5.9.2019 filed by the petitioner. By this application, the petitioner has sought remission in the sentence in terms of Government Resolution dated 3.6.2017. It appears to us that this application has been kept pending for more than 1½ year, which is not proper. It is now time that this application is decided in accordance with law as early as possible. If the respondents have any difficulty in obtaining opinion of the concerned Sessions Court, necessary direction can also be issued by this Court. Accordingly, the petition is allowed.

The respondents are directed to decide the application dated 5.9.2019 filed by the petitioner in accordance with law, within a period of three months from the date of order.

If the respondents are unable to decide the application dated 5.9.2019 for want of any opinion to be

given by the concerned Sessions Court, we would direct the concerned Sessions Court to send it's opinion in the matter within 15 days of communication of this order to him/her by the respondents, if not already done.

Rule accordingly.

JUDGE

JUDGE

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Suraj
Jaiswal

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signed by
Suraj Jaiswal
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