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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP-2514-2022
Date of Decision: 21.03.2022

Udai

....Petitioner(s)

Versus

State of Haryana and others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Manoj Kumar Palwal, Advocate, for the petitioner.

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Article 226 of the Constitution of India with a prayer to issue a writ in the nature of Mandamus directing respondent No.2 to release the petitioner on parole to perform the last rites of his father and also to attend the bhog (Tervi) ceremony which is scheduled to be held on 26.03.2022. An alternate prayer has also been made seeking a direction to respondent No.2 to decide the application submitted by the petitioner dated 14.03.2022.

The learned counsel for the petitioner has submitted that the petitioner has submitted an application vide Annexure P-1 to respondent No.2 since the father of the petitioner had died for the purpose of attending the cremation but the same was not considered at all by the District Magistrate. He further submitted that now although the cremation has been done but bhog (Tervi) ceremony is to be performed on 26.03.2022. He

further submitted that although in the contents of the application Annexure P-1 the factum of bhog (Tervi) ceremony has not been mentioned but in view of the paucity of time, the District Magistrate may be directed to consider the request of the petitioner with regard to release on parole for the purpose of attending the bhog (Tervi) ceremony.

Notice of motion.

Mr. Naveen Singh Panwar, DAG, Haryana accepts notice on behalf of State of Haryana and states that he has no objection in case respondent No.2 is directed to consider and decide the application Annexure P-1 apart from the request of the petitioner made before this Court pertaining to request for attending the bhog (Tervi) ceremony of the father of the petitioner which is scheduled to be held on 26.03.2022

I have heard the learned counsel for the parties.

In view of the fact that the father of the petitioner had unfortunately died and the bhog (Tervi) ceremony is scheduled to be held on 26.03.2022, it will be in the interest of justice to direct respondent No.2 to consider the request of the petitioner to attend the bhog (Tervi) ceremony of the father of the petitioner on 26.03.2022 and to take a decision in accordance with law within a period of three days from today.

The present petition stands disposed of.

A copy of this order be uploaded in the website of the High Court today itself.

21.03.2022

rakesh

Whether speaking
Whether reportable

(JASGURPREET SINGH PURI)
JUDGE

: Yes/No
: Yes/No