

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 4532 OF 2022**

Ganesh Vasant Garad

... Petitioner

V/s.

The State of Maharashtra & Ors.

... Respondents

Mr.M.M. Chaudhari for Petitioner.

Mr.S.S. Hulke, A.P.P. for Respondent-State.

Mr.Kadam Chandrakant Madhukar, Jailor, Nashik Road Central Prison.

**CORAM : A. S. GADKARI AND
PRAKASH D. NAIK, JJ.****DATE : 1st February 2023.****P.C. :**

1. Learned A.P.P., on instructions from Jailor, Nashik Road Central Prison, Nashik, submitted that, the Competent Authority will reconsider the application of Petitioner dated 12th October 2021 for furlough leave afresh, as per Circular dated 17th August 2022 issued by the Additional Director General and Inspector General of Prisons (Maharashtra State) afresh. Said statement is accepted.

2. In view thereof, impugned Orders dated 5th September 2022 passed by the Appellate Authority and 11th March 2022 passed by the Competent Authority are set-aside and the application of Petitioner dated 12th October 2021 is remanded to the Competent Authority for its consideration afresh.

3. Petition is partly allowed in the aforesaid terms.

[PRAKASH D. NAIK, J.]**[A.S. GADKARI, J.]**