



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

19 CRIMINAL WRIT PETITION NO. 73 OF 2025

PANDURANG S/O NARAYAN KADAM (CONVICT NO.8919)

VERSUS

INSPECTOR GENERAL OF PRISONS AND OTHERS

...

Mr. Rupesh A. Jaiswal Advocate for Petitioner.

Mr. N.R. Dayama, A.P.P. for Respondents.

...

**CORAM: SMT. VIBHA KANKANWADI AND
SANJAY A. DESHMUKH, JJ.**

DATE : 28th JANUARY, 2025

ORDER :

1. Learned APP submits that the petitioner has filed appeal challenging the order dated 3rd October 2024 passed by respondent No.2 before respondent No.1. That appeal has been allowed. Now the grievance of the petitioner has been redressed.

2. We will have to mention that in the writ petition there is a mention about pendency of the appeal but the learned Advocate for the petitioner is saying that as per the law the said appeal should be decided in a stipulated period and therefore he has not made any prayer in the present petition.

3. Here when the petitioner has already approached a legal forum wherein he has challenged the impugned order, then either he will have to wait till the decision on the same or he will have to give up that and then approach this Court in writ petition to challenge the same order. The petitioner cannot have simultaneous proceedings before two authorities. Now the petitioner seeks withdrawal of this writ petition. At this stage we are restricting ourselves from imposing costs, but such practice is certainly deprecated.

4. The Writ Petition stands disposed of as withdrawn.

[SANJAY A. DESHMUKH]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

asb/JAN25