

prison having served already a sentence of over 27 years, in which, on 18 occasions, he was granted furlough without any problem. He submits that the impugned order in para 10 clarifies that the norms which would be applicable to the case of the petitioner would be those prior to the resolution prohibiting such benefit of open prison to prisoners convicted under the TADA Act as opined in para 10 and thus, the only reason for rejection of the case of the petitioner was as set out in para 12 i.e. during his tenure as a Warden, hardened criminals were found using cellphones. It is his submission that this very aspect received consideration in Criminal Writ Petition No.1613/2018 (Annexure P-6) where in para 9 it was observed that the case was sought to be foisted on him on his insistence on a plea of open prison.

Issue notice returnable in six weeks.

A copy of the order to accompany the notice.

(ASHA SUNDRIYAL)
ASTT. REGISTRAR-cum-PS

(POONAM VAID)
COURT MASTER (NSH)