

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.5969 OF 2015

VIDYA VIKAS SHIKSHAN PRASARAK MANDAL THROUGH ITS
SECRETARY

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr. S.S. Thombre

AGP for Respondent/State: Mr. D.R.Kale

Advocate for Respondent No.4 : Mr. U.B.Bondar

Advocate for Respondent No.5 : Mr. V.D.Sapkal

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CORAM : S.S. SHINDE & P.R. BORA, JJ.

Dated: January 08, 2016

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PER COURT:-

1] This matter was mentioned at 10.30 a.m. by tendering across the bar *pursis* praying therein the withdrawal of the Writ Petition. Accordingly, on mentioning, the matter is produced before this Court in the afternoon session by the registry. In fact, the Petition was finally heard on 6th January, 2016, and was reserved for Judgment. However, the learned counsel appearing for the petitioner, on instructions, seeks permission to withdraw the Petition, unconditionally.

2] The learned counsel appearing for the respondent No.5 vehemently opposed the prayer. He submits that, in the first place the Petition may not be allowed to be withdrawn, and if at all, this Court is inclined to accept the prayer of the petitioner to allow withdrawal of the Petition,

in that case, it should be unconditional and without any liberty to the petitioner to approach any other Forum.

3] Not to be treated as part-heard. Released from the part-heard.

4] The Petition is dismissed as withdrawn, unconditionally.

5] The File containing original record submitted by the learned AGP to be returned back forthwith.

[P.R. BORA, J.]

[S.S. SHINDE, J.]

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