

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5077 OF 2015

Kranti Jyoti Savitribai Phule Sanstha, Pune Petitioner
V/s.
The Administrative Officer (Education),
Shikshan Mandal Pimpri-Chinchwad
Municipal Corporation, Pimpri, Pune & Anr. Respondents

ALONG WITH

CIVIL APPLICATION NO.2287 OF 2015
IN
WRIT PETITION NO.5077 OF 2015

Dhananjay Dadasaheb Jagtap Applicant
In the matter between
Kranti Jyoti Savitribai Phule Sanstha, Pune Petitioner
Versus
The Administrative Officer (Education),
Shikshan Mandal Pimpri-Chinchwad
Municipal Corporation, Pimpri, Pune & Anr. Respondents

Mr. S.A. Sawant for the Petitioner.

Mr. P.G. Sawant, A.G.P., for Respondent No.1.

Mr. D.R. More for Respondent No.2.

Mr. A.V. Anturkar, Sr. Advocate, i/by
Ms. Kalyani Tulankar, for the Applicant in Civil
Application No.2287 of 2015.

CORAM : RANJIT MORE &
DR. SHALINI PHANSALKAR-JOSHI, J.J.

DATE : 10TH MARCH 2016.

P.C. :

1. Mr. Sawant, learned counsel for the Petitioner, having taken instructions from the Petitioner, seeks leave to withdraw this Petition with liberty to challenge the order impugned in this Petition before the School Tribunal. The Petition is allowed to be withdrawn, with liberty as prayed for, and stands dismissed as such.

2. It is made clear that, we have not gone into the merits of the matter and in the event such an Appeal is filed by the Petitioner, the same shall be decided in accordance with law. All points and contentions of the respective parties in this regard are kept open.

3. Needless to mention, that the Petitioner is entitled to file the Appeal along with application for condonation of delay and while considering the application for condonation of delay, the School Tribunal shall consider the fact of pendency of the Petition in this Court as well as provisions of Section 14 of the Limitation Act.

4. In view of the above, Civil Application No.2287 of 2015 pending in the Petition, does not survive and the same is also dismissed.

[DR. SHALINI PHANSALKAR-JOSHI, J.]

[RANJIT MORE, J.]