

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO.2830 OF 2013**

Captain Ashwin Solanki .. Petitioner
VS
Director General of Shipping & ors .. Respondents

Mr.Ravindranath R.Shetty for Petitioner
Mr.Y.S.Bhate with Mr.N.R.Prajapathi for
Union of India Respondent nos.1 and 2

**CORAM : ANOOP V. MOHTA &
G.S.KULKARNI, JJ.**

28 JUNE 2016.

ORDER :

1. Learned counsel for the petitioner states that this writ petition was filed assailing a claim for appointment on ad-hoc basis. He submits that fresh advertisement for the regular post of a Nautical Surveyor has now been issued and that the petitioner is interested to make an application under the new advertisement. On the basis of the averments made in the writ petition, learned counsel for the petitioner submits that an application which the petitioner would make under the new advertisement be considered by the respondents on its own merits and without being influenced by any extraneous material.

2. We have considered the averments in the writ petition though the same pertained to the petitioner's application for appointment on ad-hoc basis. Mr.Bhate learned counsel for the respondents has also drawn our attention to the letter dated 1 October, 2013 as addressed by the petitioner after the writ petition was filed giving up the claim for appointment on ad-hoc basis, for reasons stated in the letter. We do not wish to go into this controversy as the request made by Mr.Shetty learned counsel for the petitioner is quite reasonable.

3. We therefore, direct that if any application is made by the petitioner for the newly advertised post, the respondents shall consider the same on its own merits and in accordance with law and if during the course of the selection process any material extraneous to the selection process is received, the respondents shall not consider the same and shall decide the application of the petitioner on its own merits and in accordance with law as directed above.

4. In view of the above, the learned counsel for the petitioner seeks leave to withdraw the petition.

Petition is accordingly permitted to be withdrawn with above directions.

{G.S.Kulkarni, J.}

{Anoop V. Mohta, J.}