

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.3962 OF 2013.

Damyanti Vitthalrao Deshmukhi

..VS..

Scheduled Tribe Caste Certificate Scrutiny Committee and anr.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr.S.D.Khati, Advocate for the petitioner.
Mrs.M.N.Hiwase, AGP for respondent no.1.

**CORAM : B.P.DHARMADHIKARI AND
P.N.DESHMUKH, JJ.**

DATED : MARCH 31, 2016.

Shri Khati, learned counsel for the petitioner, states that the claim of petitioner has been invalidated on 31st of July, 2014. He, therefore, seeks leave to withdraw the present petition with liberty to file a fresh petition seeking protection in employment in the light of the Full Bench Judgment reported at **2015(1) Mh.L.J. 457** (*Arun Vishwanath Sonone ..vs.. State of Mah.*).

Learned Assistant Government Pleader appearing for respondent no.1 is opposing grant of any liberty.

Nobody appears for respondent nos.2 and 3 - employer.

We find that this Court has issued notice on 25th of July, 2013 and protected employment of petitioner. Petitioner claims that she has joined the

services after a selection on 17th of October, 2001. Because of interim orders passed by this Court, petitioner is in services today.

Without observing anything on merit of the controversy, we grant petitioner leave to withdraw the petition with further liberty to file a fresh petition in accordance with law claiming protection in the employment. The fresh petition be filed within a period of four weeks from today and efforts should be made to obtain appropriate interim order within next two weeks. Interim orders granted by this Court in present petition on 25th of July, 2013 shall be continued for the period of six weeks and shall cease to operate automatically thereafter.

Writ petition is accordingly allowed to be withdrawn and disposed of with liberty.

No costs.

JUDGE

JUDGE

Chute.