

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO.1485 OF 2016

Devendra Madhukar Durve ... Petitioner.

Versus

United India Insurance Company
Limited and others ... Respondents.

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Mr. D.s. Sapkale for the Petitioner.
Mr. V.Y. Sanglikar a/w A.R. Verma for Respondent Nos. 1 and 3.
Mr. Abhishek Tripathi i/b. Mr. Dushyant Kumar for Respondent
No.6.

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**CORAM : NARESH H. PATIL AND
Z.A. HAQ, JJ.**

28th September, 2017.

P.C.:

1. The learned Counsel appearing for the Petitioner submits that though the Petitioner's name is shown at Sr. No.3 in the ranking list (Exhibit 'G' to the Petition), the Petitioner has not been promoted so far.

2. The learned Counsel appearing for the Respondents submits that the Petitioner is accused in two criminal cases which are pending before the Special Court, CBI, Mumbai, therefore, in accordance with the judgment of the Hon'ble Apex Court delivered in the case of *Union of India and others Vs. K.V. Jankiraman*

and others (1991) 4 SCC 109, the Respondents have followed 'sealed cover procedure' and in case, the Petitioner gets acquittal then the covers will be opened and appropriate steps will be taken.

3. At this stage, the Counsel appearing for the Petitioner submits that, in case, if the petitioner is acquitted but is denied promotion, liberty be granted to the Petitioner to approach this Court.

4. The learned Counsel for the petitioner, on instructions, seeks leave to withdraw this Petition, with liberty as prayed above.

5. Leave granted. The Writ Petition is disposed of as withdrawn, with liberty as prayed for by the Counsel appearing for the Petitioner.

(Z.A. HAQ, J)

(NARESH H. PATIL, J)