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which is being occupied by the Respondent No. 6.

3. The learned counsel appearing for the Respondent-Management, apart from raising a preliminary objection that petition is not maintainable, submitted that the Petitioner has participated in the selection process. He further submits that the post on which Respondent No. 6 is appointed is not the same post as was occupied by the Petitioner. Respondent No. 3 in the affidavit filed by Dr. (Mrs.) Urmila Joshi, the Principal of the College has categorically stated in para 28 that:

“29. ... I say and submit that the pending petition is in relation to the post of Professor of P. G. Course, whereas the present appointment is for the post of Professor (U. G. Course).”

4. In view of the aforesaid statement made in the affidavit in reply on behalf of Respondent No. 3, learned counsel appearing for the Petitioner submits that the Petitioner does not press the petition and therefore, seeks leave to withdraw the petition. Writ petition is accordingly disposed of as withdrawn.

Sd/-
[RIYAZ I. CHAGLA, J.]

Sd/-
[B. R. GAVAI, J.]