

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 6466 OF 2015

Sanjay Education Society Navalnagar
Through its Chairman Aniket Vijay
Patil .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri S. P. Brahme, Advocate h/f Shri A. P. Yenegure, Advocate for
the Petitioner.

Shri S. G. Karlekar, A.G.P. for Respondent Nos. 1 and 2.

Shri Y. B. Bolkar, Advocate h/f Shri A. B. Girase, Advocate for
the Respondent No. 3.

**CORAM : S. V. GANGAPURWALA AND
ARUN M. DHAVALA, JJ.**

DATE : 10TH JANUARY, 2018.

FINAL ORDER :

. Mr. Brahme, the learned counsel for the petitioner on
instructions of the petitioner seeks leave to withdraw the writ
petition.

2. We have heard the learned A. G. P. for respondent Nos. 1
and 2 and the learned counsel for the respondent No. 3.

3. When the similar motion was made, this Court on 31st July,

2017 had said that the petitioner has got benefit of interim order and now without complying with the interim order of filling in vacancy could not have been allowed to withdraw the petition.

4. It has been stated by the learned counsel for the petitioner that, inspite of interim orders passed by this Court on 16.07.2015 allowing the petitioner to admit 30 students. The petitioner could not get even a single student and for last three years no students are admitted by the petitioner/institution. The petitioner could not get the benefit of interim order, because of non availability of students. The learned counsel submits that, the petitioner had filled in 22 posts of Assistant Professors and their appoints were also approved by the university. According to the learned counsel, the petitioner has moved the respondent No. 1/Government for closure of the institution.

5. Considering that, the petitioner did not receive any benefit of interim orders passed by this Court and no students are admitted for last three years and that the petitioner has moved for closure of the institution, we are inclined to consider the prayer for the petitioner for withdrawal of the writ petition. The writ petition is dismissed as withdrawn. No costs.

[ARUN M. DHAVALÉ, J.]

[S. V. GANGAPURWALA, J.]

bsb/Jan. 17