

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

WRIT PETITION NO. 11033 OF 2015

**BHAUSAHEB NANA KATORE
VERSUS
THE STATE OF MAHARASHTRA**

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Advocate for Petitioner : Smt. R.S. Kulkarni h/f.
Shri S. S. Kulkarni

Advocate for Respondent Nos. 1 to 3 : Shri S. R. Yadav-Lonikar

Advocate for Respondent No.4 : Shri V. R. Dhorde

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**CORAM : RAVINDRA V. GHUGE, J.
DATED : 8th AUGUST, 2018.**

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PER COURT :

- 1 This petition was not on board.
2. A motion was moved at 10.30 a.m. that the petitioner desires to withdraw this petition in view of an alternate remedy available. Hence taken on Production Board.
3. Since the learned AGP points out that an alternate remedy under Section 247 of the MLR Code is available to the petitioner, considering the circular dated 18/09/2015, this petition need not be entertained.

4. In similar circumstances this Court has passed an order on 22/02/2017 in Writ Petition Nos. 5032, 5033, 5127 of 2015 permitting such withdrawal and has continued the interim relief with certain conditions.

5. The learned Advocate appearing on behalf of respondent No. 4 confirms the alternate remedy available.

6. In view of the above, this petition is disposed off with liberty to the petitioner to approach the concerned authority under Section 247 of the MLR Code. If such remedy is resorted to within 3 weeks from today, the ad interim protection granted on 28/04/2016, would be continued for a total period of 5 weeks from today. The time spent by the petitioner in this Court from 15/07/2015 till the passing of this order would be considered as a good ground for condonation of delay only if the petitioner avails of the said remedy within 3 weeks from today.

(RAVINDRA V. GHUGE, J.)

shp/-