

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

WRIT PETITION NO. 1047 OF 2013

Radhakrishna Jagannath Patil

... Petitioner

Vs

1 Bharatiya Kala Prasarini Sabha & Ors.

... Respondents

Mr. Sachin S. Punde for the Petitioner.

Mr. Ramesh S. Sawant i/b S.V. Pitre for Respondent No.3.

Mr. S.S. Panchpor for the Respondent Nos.5 to 7 - State.

**CORAM : S.C. DHARMADHIKARI &
SMT. BHARATI H. DANGRE, JJ.**

THURSDAY, 13TH DECEMBER, 2018

P.C. :

1 After the writ petition was heard extensively, records were perused and certain additional documents were sought to be tendered but we brought to the notice of Mr. Punde appearing for the petitioner that no foundation for these documents or the submissions based thereon has been laid in the pleadings, on taking instructions from the petitioner who is present in Court, Mr. Punde seeks leave to withdraw the writ petition with liberty

to file a fresh petition on the same cause of action, but by relying on the entire records.

2 Since this is a claim for pensionary benefits now and by an employee who says that he was wrongly overlooked for the promotional post of Lecturer, in the larger interest of justice, we allow Mr. Punde to withdraw this writ petition with liberty to file fresh petition.

3 The writ petition is disposed of as withdrawn with liberty as prayed. There shall be no order as to costs.

4 The original record be returned to the learned AGP forthwith.

SMT. BHARATI H. DANGRE, J.

S.C. DHARMADHIKARI, J.