

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 12396 OF 2018

Dr.Ashwini Sayajirao Patil. ... Petitioner.
V/s.
The State of Maharashtra and others. ... Respondents.

Mr.Sudhir C. Halli for the petitioner
Mr.P.G.Sawant, AGP for respondent Nos.1 and 2.
Mr.Atul G. Damle, Senior Advocate with Mr.Datta Mane
for respondent No.3.

CORAM : A.S.OKA AND M.S.SONAK, JJ.
DATE : 25th October 2018.

P.C.:

Not on board. Taken up on board.

2. The learned counsel appearing for the petitioner, on instruction, seeks permission to withdraw this petition with liberty to file appropriate proceedings before the Maharashtra Administrative Tribunal (for short "Tribunal"). He seeks stay of the impugned order for a limited period to enable the petitioner to file appropriate proceedings before the Tribunal. The request is reasonable and, accordingly, we pass the following order:

- (i) Writ petition is disposed of as withdrawn with liberty to the petitioner to file appropriate proceedings before the Tribunal;

- (ii) To enable the petitioner to do so, we direct that if the impugned order is not yet implemented, the same shall not be implemented for a period of one month. At this stage, the learned counsel for the petitioner states that the petitioner, even as of today, is holding the charge of the post of Sub-Divisional Officer, Vasai. The learned senior counsel appearing for the respondent No.3 states that the respondent No.3 has already taken charge of the said post. As the petitioner is approaching the Tribunal, it is not necessary for us to go into that controversy.

(M.S.SONAK, J.)

(A.S.OKA, J.)