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

WRIT PETITION NO. 194 OF 2019

Vijay s/o Jagannath Rathod,
Age: 39 years, Occ: Service as
Assistant Teacher,
R/o. Banjara Colony, Khokadpura,
Aurangabad, Dist. Aurangabad. ..PETITIONER

VERSUS

The State of Maharashtra
Through its Secretary,
School Education Department,
Mantralaya, Mumbai-32 & ors ..RESPONDENTS

Mr V.S. Panpatte, Advocate for petitioner;
Mr S.S. Dande, A.G.P. for respondent/State

**CORAM : PRASANNA B. VARALE
AND
S.M.GAVHANE, JJ.**

DATE : 8th JANUARY, 2019

ORAL ORDER :

After hearing learned Counsel for the petitioner and on perusal of the material placed on record, we find that neither respondent No.2 nor respondent No.3 is at fault, whereas the prayers namely prayer clause – B and C is in respect of

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directions to these respondents.

2. The documents placed on record show that it was head master i.e. respondent No.5 who was sitting idle for considerable long time in spite of representation of the petitioner and in spite of communication exchanged between respondent No.4 and respondent No.5 dated 2nd August, 2012. Perusal of the documents further show that the petitioner himself in his own signature submitted a salary bill to respondent No.3 on 19th November, 2018.

3. Mr. Panpatte, learned Counsel for the petitioner prays for withdrawal of the petition, with liberty to avail other remedies against respondent Nos. 4 and 5 for claim of the petitioner.

4. The writ petition is allowed to be withdrawn, with liberty as prayed.

(**S.M.GAVHANE**)
JUDGE

(**PRASANNA B. VARALE**)
JUDGE