

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

**WRIT PETITION NO.2109 OF 2019
GAJANAN MUNJAJI CHATTE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER
WITH
WRIT PETITION NO.2111 OF 2019
DYANESHWAR SURYABHAN KOLHAL
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

Mr.V.L.Dhoble, Advocate for the petitioners.

Mr.A.R.Kale and Mr.S.S. Dande, AGPs for respondent/State.

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

DATED : 22.02.2019

P.C. :-

1. At the outset, learned Counsel Mr.Dhoble, orally prayed to amend the petition by addition of the Divisional Commissioner, Aurangabad Division as party respondent. The oral prayer is allowed. The amendment be carried out forthwith.

2. Learned Counsel Mr.Dhobale fairly submitted that though the petition was filed seeking challenge to the impugned orders whereby the petitioners were reverted from the post of Clerk to Peon as there is alternate and efficacious remedy available to the petitioners, the

petitioners be allowed to withdraw the petition with liberty to avail alternate remedy in the form of appeal to the Divisional Commissioner. Learned Counsel also submitted that the petitioners would also file applications seeking condonation of delay.

3. If such appeals along with applications are filed, respondent No.2 to consider applications and appeals on its own merits.

4. With the above directions, the writ petitions are disposed of.

[S.M.GAVHANE, J.]

[PRASANNA B.VARALE, J.]