

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.12332 OF 2018

Bhagwan Shikshan Prasarak Mandal

Petitioner

Versus

The State of Maharashtra & another

Respondents

Mr.A.M.Karad, advocate for the petitioner.

Mr.K.S.Patil, AGP for Respondent No.1.

Mr.A.P.Bhandari, advocate for Respondent No.2.

**CORAM : PRASANNA B. VARALE &
AVINASH G. GHAROTE, JJ.**

DATE : 18th September, 2019

PER COURT:

1 After arguing for some time, Mr.Karad, learned Counsel for the petitioner, on instructions as well as by inviting our attention to the judgment of this Court in the matter of Balkrishna Dharamdas Vora Vs. Poona Municipal Corporation, 1963 MhLJ 325, seeks leave to withdraw the petition with liberty to avail other remedies available in law, more particularly, approaching the Civil Court by presenting a civil suit.

2 Writ Petition is disposed of as withdrawn with liberty, as prayed for.

3 Mr.Karad submits that by an interim order dated 01.11.2018, the petitioner was protected. The Division Bench, while issuing notice, had directed that meanwhile, no coercive action be taken against the petitioner. Mr.Karad prays for continuation of the interim order for the period of two weeks so as to facilitate the petitioner to take appropriate steps to avail the remedy of presenting suit before the competent Civil Court.

4 The prayer for continuation of interim order for the period of two weeks is granted. The interim order is continued for a further period of two weeks. Needless to state that in case the petitioner files any application for interim relief before the competent Civil Court, same be decided by the concerned Court on its own merits.

AVINASH G. GHAROTE
JUDGE

PRASANNA B. VARALE
JUDGE

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