

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.15292 OF 2017

Dnyanodaya Vimukta Jati Shikshan
Prasarak Mandal, Kanadi Borgaon,
Tq. & District Latur.

Petitioner

Versus

The State of Maharashtra & others

Respondents

Mr.V.B.Jadhav, advocate for the petitioner.
Mrs.V.N.Patil Jadhav, AGP for Respondents.

**CORAM : PRASANNA B. VARALE AND
NITIN W. SAMBRE, JJ.**

DATE : 24th April, 2019.

P.C. :

1 Learned Counsel for the petitioner, in view of the subsequent development i.e. releasing of the amount in view of Government Resolution dated 08.03.2019, seeks permission to withdraw the instant petition.

2 Learned AGP, on instructions, submits that time may be granted to the State to work out the modalities for release of amount in favour of the petitioner, which is lying in this Court.

3 We hardly see any justifiable ground to accept the prayer of the learned AGP when on the last occasion, at the behest of learned Special Counsel appearing for Respondents, the matter was adjourned for same purpose.

4 That being so, writ petition stands disposed of. We clarify that the amount, which is deposited by the Respondent-State, in this Court, pursuant to the order passed in the petition, is permitted to be withdrawn by the petitioner upon furnishing undertaking before the Registrar (J) of this Court to the effect, in case the State works out final calculation against the petitioner, the petitioner shall repay the difference of amount to the State, of course, by reserving its legal right to challenge such adverse decision before the competent Court within stipulated period.

 The undertaking be executed to the satisfaction of Registrar (J).

NITIN W. SAMBRE
JUDGE

PRASANNA B. VARALE
JUDGE

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