

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 125/2019.

Sunil Kishorilal Rathi

-VERSUS-

The State of Maharashtra and others.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Shri N.R. Saboo, Advocate for the Petitioner.
Shri A.S. Fulzele, Addl.G.P. for Respondent Nos.1 and 2.
Shri H.A. Deshpande, Advocate for Respondent No.5.

CORAM : R.K. DESHPANDE &
VINAY JOSHI, JJ.

DATE : MARCH 05, 2019.

Heard.

2. In view of the preliminary objection raised regarding existence of a statutory alternative remedy of filing an appeal under Section 9 of the Maharashtra Employees of Private Schools (Conditions of Service) Regulation Act, 1977, the learned counsel for the petitioner seeks permission to withdraw the Writ Petition with liberty to approach the School Tribunal.

3. In view of above, Writ Petition is permitted to be withdrawn. All questions are left open to be

2

agitated in the appeal under Section 9 before the Tribunal. The Tribunal, while considering the question of limitation to consider the period spent by the petitioner in prosecuting the matter before this Court. No costs.

JUDGE

JUDGE

Rgd.