

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

**27 WRIT PETITION NO.6098 OF 2018
WITH CA/4294/2019 IN WP/6098/2018**

MOHD IBRAHIM MOHD WAZIR AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr. S. P. Brahme h/f
Mr. S. N. Suryawanshi

Senior Advocate for Respondent-State: Mr. P. V. Mandlik

Advocate for Respondent No.4 : Mr. Arvind Deshmukh

Advocate for Respondent No.5 : Mr. D. B. Pawar

Advocate for Applicant : Mr. Aditya N. Ayachit h/f

Mr. K. C. Sant (in Civil Application No. 4294 of 2019)

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**CORAM : Z.A. HAQ AND
S. M. GAVHANE, JJ.**

DATE : 02.03.2020

PER COURT :-

Heard.

2. On objection raised on behalf of respondent Nos.1 to 3 that as the petitioners are seeking promotion on State Cadre posts, they have remedy under Section 15 of the Administrative Tribunals Act, learned advocate for the petitioners seeks permission to withdraw the petition with liberty to approach the

Maharashtra Administrative Tribunal.

3. The petition is disposed accordingly with liberty as prayed for. In the circumstances, the parties to bear their own costs.

4. If the original application is filed within one month, the Tribunal shall consider the issue of limitation sympathetically in favour of the petitioners.

5. In view of disposal of the petition, orders are not required on the Civil Application No.4294 of 2019. It is disposed accordingly.

(S. M. Gavhane, J.)

(Z. A. Haq, J.)

vsm/-