

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

934 WRIT PETITION NO.7144 OF 2021

SHALINITAI BALASAHEB KARAD
VERSUS
THE STATE OF MAHARASHTRA THR THE SECRETARY AND
OTHERS

...
Advocate for Petitioner : Mr. A. N. Irpatgire
AGP for Respondent-State : Mr. S. W. Munde
...

CORAM : AVINASH G. GHAROTE, J.
DATED : 3rd AUGUST, 2021.

...

PER COURT :

1. Learned AGP has raised the preliminary objection that the remedy under section 154 of M.C.S. Act, 1960 is available to the petitioner, for challenging the impugned order, which position is not disputed by Mr. Irpatgire, learned counsel for the petitioner. He, however, contends that the principles of natural justice have been violated while conducting the inquiry and submitting report and in passing the impugned order too. However, such contentions are equally permissible to be raised before the authority under Section 154 of the M.C.S. Act, 1960. That being the case, Mr. Irpatgire, learned counsel for the petitioner seeks leave to withdraw the petition and file appropriate proceedings before the authority under Section 154 of M.C.S. Act.

2. Leave is accordingly granted.

3. He further submits that the protection, is granted in para 6 of the order dated 01/07/2021, the same may be continued for a period of three weeks to enable petitioner to approach the authority under Section 154 of M.C.S. Act. Since, protection has already been granted by the order dated 01/07/2021, the same shall continue for a period of three weeks from today.

4. Petition is accordingly disposed of.

(AVINASH G. GHAROTE, J.)

vsm/-