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

902 WRIT PETITION NO.522 OF 2018

AYASHA ISMAIL MOMIN
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Ms. S.M. Zaware, Advocate holding for Ms. Kavita S. Bhale, Advocate for petitioner;
Mr. S.G. Sangle, A.G.P. for respondent nos.1 & 2;
Mr N.S. Kadam, Advocate for respondent no.3

**CORAM : RAVINDRA V. GHUGE
AND
S. G. MEHARE, JJ.**

DATE : 7th October, 2021

PER COURT:

1. The prayer put-forth by the petitioner is as against her purported resignation tendered to the management which has been sanctioned and she has been relieved. The grievance put-forth indicates that the resignation was not under the free will and desire of the petitioner. If these are the submissions, it would amount to a case of forceful resignation resulting in otherwise termination which would be covered by Section 9 of the Maharashtra Employees of Private Schools (Conditions of Service) Regulation Act, 1977. The petitioner would have a statutory remedy before the School Tribunal.

2. The learned advocate for the petitioner submits on instructions that the petitioner desires to withdraw this petition to avail of the statutory remedy.

(2)

3. In view of the above, this petition is disposed off as withdrawn. The time spent by the petitioner in this Court from 28.11.2017 till the passing of this order, would be a good ground for seeking condonation of delay.

(S. G. MEHARE, J.)

(RAVINDRA V. GHUGE, J.)

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