

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

41 WRIT PETITION NO.4400 OF 2021

KISHOR LAXMAN SHINDE
VERSUS
THE STATE OF MAHARASHTRA THR ITS SECRETARY AND OTHERS

...
Advocate for Petitioner : Mr. V.S. Panpatte
AGP for Respondents 1 & 2 : Mrs. M.A. Deshpande

...
**CORAM : R. D. DHANUKA &
S.G. MEHARE, JJ.**
DATED : 07/03/2022.

PER COURT :

1. After arguing the matter for some time, Mr. Panpatte, learned advocate for the petitioner on instruction seeks leave to withdraw this petition with liberty to challenge the validity of the notification dated 8th June 2020 issued by the State Government thereby inserting Rule 41A after Rule 41 of the MEPS Rules. In view of the request made by the learned counsel for the petitioner, we permit the petitioner to withdraw this petition. At this stage, we do not express any view in respect of the resolution passed by the management proposing to transfer the petitioner from unaided to aided post. Legality and authenticity of the resolution would be considered if any fresh petition is filed by the petitioner.

2. Writ petition is dismissed as withdrawn with liberty to challenge the Rule 41A of the MEPS Rules.

[S.G. MEHARE, J.]

[R. D. DHANUKA, J.]