

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

35 WRIT PETITION NO.14685 OF 2021

PUSHKARAJ LABOUR CO-OP. SOCIETY LTD. THROUGH ITS  
CHAIRMAN  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS

...  
Advocate for Petitioner : Mr. Rodge Krishna P.  
AGP for Respondent/s-State : Mr. S. B. Pulkundwar.  
...

**CORAM : A. S. GADKARI, AND  
S. G. MEHARE, JJ.**

**DATE : 03.01.2022**

**PER COURT :-**

1. At the outset, the learned AGP raised a preliminary objection and submitted that, there is a substantive alternate remedy available at the disposal of the petitioner and without availing the same, he has filed the present petition for recovery of amount, as mentioned in prayer clause 'C' of the petition.
2. Facing with the said difficulty, the learned counsel for the petitioner, on instructions, seeks leave to withdraw the present petition with liberty to adopt appropriate remedy/proceedings, as may be available under the law.

Leave and liberty granted.

Writ Petition is disposed off as withdrawn.

3. It is made clear that if the petitioner adopts any other remedy, as may be permissible under the provisions of law, the respondents will be at liberty to raise the issue of limitation, as contemplated under the provisions of Limitation Act.

(S. G. MEHARE, J.)

(A. S. GADKARI, J.)

...

vmk/-