

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 2116 OF 2020

Bharat Vitthal Thavare

..... Petitioner

Vs.

State of Maharashtra & Ors.

..... Respondents

Mr. S. S. Pakale a/w. Adv. Padmaja Malgaonkar i/b. Adv. Shankar M. Katkar for the Petitioner

Ms. S. S. Bhende, AGP for the respondent-State

Mr. Milind Deshmukh for Respondent Nos.3 and 4

**CORAM : NITIN W. SAMBRE &
SHARMILA U. DESHMUKH, JJ**

DATED : 15th DECEMBER, 2022

P.C.:

1. The case of the petitioner is, he was appointed on lump sum payment basis and thereafter clock-wise basis as a teacher. According to him, other similarly placed candidates are absorbed by the respondent-management in the employment as Shikshan Sevak whereas the petitioner is treated differently.
2. According to him, the other similarly placed candidates were granted accommodation based on the consent orders passed by this Court so also the Division Bench order of this Court at Aurangabad in WP/6907/2021 (Chhagan Natha Rajpure vs. The State of Maharashtra and Others) on 19/12/2011.

3. At this stage, after hearing the matter for sometime, learned counsel for the petitioner on instructions made motion for withdrawal of the petition. The petition is disposed off as withdrawn.

4. The petitioner is at liberty to make a representation to the respondent-management based on the aforesaid Division Bench order at Aurgangabad so also the alleged consent orders passed before this Court in view of the consent extended by the respondent-management.

5. If such representation is made, the respondent-management shall decide the claim of the petitioner in accordance with law.

6. That in case, if the respondent-management considers the claim of the petitioner favorably, the Education Officer shall deal with the claim of the petitioner and respondent-management for grant of approval in accordance with law.

(SHARMILA U. DESHMUKH, J) (NITIN W. SAMBRE, J.)