

Sardar Kerba Kamble	...	Petitioner
Versus		
The State of Maharashtra	...	Respondent

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Mr. Nikhilesh Pote for the Petitioner.
Mr. K.V. Saste, APP for the State.

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CORAM : NITIN JAMDAR AND
N.R. BORKAR, JJ.

DATED : 1 AUGUST 2022

P.C. :-

Despite repeatedly informing the Advocate for the Petitioner that at this stage, the extraordinary powers of this Court in the facts of this case cannot be exercised and the Petitioner can avail of the ordinary remedy, the learned Counsel for the Petitioner chose to pursue this remedy and argued the matter on merits. At the conclusion of the argument, in the midst of the order being dictated the learned Counsel for the Petitioner sought leave to withdraw the Writ Petition to file an application for discharge before the trial court and states that contentions be kept open. Such conduct has to be disapproved. The extraordinary jurisdiction of this Court is not for taking chances. We find various parties prosecuting petitions in this manner is clogging the docket of the Court.

2. Though we permit withdrawal out of indulgence, to inculcate a sense of discipline, we are constrained to impose costs. Writ Petition is disposed of as withdrawn. The Petitioner will pay costs of Rs.5000/- to the Maharashtra State Legal Services Authority within four weeks and lodge a receipt in the registry, otherwise the Petition will be treated as dismissed.

(N.R. BORKAR, J.)

(NITIN JAMDAR, J.)

KANCHAN
PRASHANT
DHURI

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