

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

79 WRIT PETITION NO.1102 OF 2023

RITESH SAMBHAPPA KAMTHE  
VERSUS  
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY  
AND OTHERS

...  
Advocate for Petitioner : Mr. Ghatol Patil Shahaji B.  
AGP for Respondents: Mr. S.K. Tambe  
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**CORAM : RAVINDRA V. GHUGE AND  
SANJAY A. DESHMUKH, JJ.  
DATED : 30<sup>th</sup> JANUARY, 2023.**

**PER COURT :-**

1. This is a classic case of abuse of the Writ jurisdiction of this Court.
2. The petitioner contested the selection process of appointment for GNM training course, alongwith respondent No.6. She scored 81.75% and the petitioner scored 72.33% marks. For considering any grievance against such selection process, a remedy is provided to the aggrieved candidates to approach the competent authority, Ex-Officio Commissioner, Director of Health Services, Mumbai. The petitioner has already availed of the said remedy by preferring an appeal on 10.1.2023. Within 24 hours, this petition is filed on 11.01.2023 and Writ of Mandamus is sought to be issued against the respondents, in as much as, the selection of respondent No.6 is sought to be quashed.

3. At this stage, the learned advocate for the petitioner submits that the petitioner would voluntarily donate Rs.5,000/- to the Advocates' Association of Bombay High Court, Bench at Aurangabad and seeks leave to withdraw this writ petition, since the petitioner is present in the court and has issued instructions to withdraw this petition. The petition is, therefore, disposed off, as withdrawn with liberty to pursue the remedy, which is already availed of.

**(SANJAY A. DESHMUKH, J.)**

**(RAVINDRA V. GHUGE , J.)**

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