

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

WRIT PETITION NO.1954 OF 2023

**CHANDPASHA ABDULAH SAB QURESHI
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS
PRINCIPAL SECRETARY AND OTHERS**

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Advocate for the Petitioner : Shri R.D. Biradar
AGP for Respondents 1 and 2/State : Shri P.S. Patil

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**CORAM : RAVINDRA V. GHUGE
&
SANJAY A. DESHMUKH, JJ.**

DATE :- 20th February, 2023

Per Court :-

1. This matter was heard for quite sometime. Primarily, the ground raised by the petitioner is that the enquiry committee has been wrongly constituted and the State/National Awardee Teacher is barred by the age limitation in view of the clarificatory notification issued by the Education and Employment Department, dated 06.02.1986 with reference to the MEPS Rules, 1981.

2. The entire enquiry with regard to the allegations and charges levelled upon the petitioner, has been concluded. It is now contended that the petitioner has collected information that

the State Awardee Teacher appointed under Rule 36(2)(b)(iii) is barred by age and that he cannot be a member on the committee for the Latur region. The petitioner should have approached this Court at the very initiation of the enquiry.

3. At this stage, the learned advocate for the petitioner submits, on instructions, that the petitioner desires to withdraw this petition with liberty to raise all grounds including as regards the constitution of the committee, before the committee itself and if necessary, before the School Tribunal under the MEPS Act.

4. In view of the above, this Writ Petition is disposed off as withdrawn, on instructions, with liberty as is prayed for.

5. Needless to state, all the contentions of the petitioner even as regards the constitution of the committee, are kept open.

kps (SANJAY A. DESHMUKH, J.) (RAVINDRA V. GHUGE, J.)