

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

WRIT PETITION NO.5596 OF 2023

**VIJAYA DNYANESHWAR PAWAR AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS**

...

**Advocate for Petitioners : Mr. Gajanan K. Kshirsagar
AGP for Respondents: Mr. Bhushan Virdhe.**

**CORAM : S.G. CHAPALGAONKAR, J.
VACATION COURT.**

DATE : 19th May, 2023

P.C.:-

Heard Mr. Gajanan Kshirsagar, learned advocate for the petitioner, Mr. Bhushan Virdhe, learned AGP for respondent Nos. 1 and 3.

2. It appears that the petitioner has already approached the Divisional Commissioner, challenging the order by filing an appeal and said appeal is pending. In that view of the matter, learned advocate for the petitioner seeks leave to withdraw the petition, with liberty to file an application seeking interim relief before the Appellate Authority. However, he submits that before taking decision on such application, he may not be relieved.

3. In that view of the matter, the petition is disposed of as

withdrawn with liberty to the petitioner to approach the Divisional Commissioner with an application for grant of interim relief in the pending appeal. If such an application is filed, the respondent No.3 Divisional Commissioner shall decide the same within a period of two weeks from today.

4, In case the petitioner seeks direction in the nature of ad-interim relief, that may also be considered in accordance with law and rules.

5. Writ petition is disposed of in above terms.

[S.G. CHAPALGAONKAR]
JUDGE

grt/-