

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

934 CIVIL APPLICATION NO.15511 OF 2022
IN WP/8224/2010

PRABHAKAR DATTATRAYA NEVE L.RS. NIRMALA PRABHAKAR NEVE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTH

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Advocate for Applicant : Mr. Talhar Ajay G.
AGP for Respondents-State : Mr. N. T. Bhagat
Advocate for Respondent No.5 : Mr. U. S. Malte

...
WITH WP 8224/2010
WITH CA 1255/2023 IN WP 8224/2010
WITH CA 1217/2013 IN WP 8224/2010

CORAM : ARUN R. PEDNEKER, J.
DATE : 03rd February, 2023

PER COURT :

1. The learned Advocate appearing for respondent No.5 submits that the impugned order dated 14/06/2010 is now appealable before the State Authority in view of the Judgment passed in the case of *Gurudassing Nawoosing Panjwani versus State of Maharashtra and Others, reported in (2016) 2 Supreme Court Cases 213.*
2. In view of the submission made by the learned Advocate for respondent No.5, and supported by the learned AGP, the learned Advocate appearing for the petitioner seeks leave of this Court to withdraw the present petition and approach the State Authority to challenge the impugned order.

3. The petition is permitted to be withdrawn with liberty to the petitioner to approach the State Authority to challenge the impugned order.

4. In the event, the impugned order is challenged before the State Authority, the time spent in this Court in present proceeding, would be excluded in computing the period of limitation under Section 14 of the Limitation Act, in filing the proceeding before the State Authority.

5. The learned Advocate for the petitioner submits that he would file the appeal within a period of six weeks from today. Since the proceeding in this Court are pending for a longtime from the year 2010, I deem it appropriate that, in the event, the appeal/ appropriate proceedings are filed by the petitioners, the same to be finally decided as expeditiously as possible and in any event within a period of one year to be computed from service of notice to the respondents. All contentions are left open.

6. Writ petition stands disposed of. All pending civil applications stand disposed of.

(ARUN R. PEDNEKER, J.)

vj gawade/-.