



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

920 WRIT PETITION NO. 6941 OF 2020

Shantilal s/o Goroba Ankush

VERSUS

The President Mahatma Jyotiba Phule Jivan Shikashan And
Others

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Advocate for the Petitioner : Mr. A R Devkate

AGP for Respondents: Mr. S.K. Shirse

Advocate for Respondents : Mr. R.A. Deshmukh h/f S.V.

Deshmukh V For R/3 (through VC)

Mr. R.V. Naiknavare advocate For R/1

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CORAM : SMT. VIBHA KANKANWADI &
S. G. CHAPALGAONKAR, JJ.

Dated : April 10, 2024

PER COURT :-

1. We have heard all the parties.
2. Learned advocate for the petitioner points out two decisions in case of **Sonai Apang Vikas and Shikshan Sanstha, Nandurbar and another Vs. Jyoti Dulesing Ranawat and others** reported in [2-18 (4) Mh.L.J. 474] which is lateron followed in **Pralhad s/o Maroti Rathod Vs. The Regional Deputy Commissioner and others in WP no.3883 of 2018 decided 1.4.2019**, wherein it is held that the appeal under Clause 86 of the Handicapped School Code, 1997 is not maintainable.
3. The petitioner was challenging the order of rejection of delay condonation application preferred for condonation of delay in filing the appeal under section 86 of the Handicapped School Code, 1997 passed by the respondent No.4 in application/appeal no.4 of 2016 dated 1.1.2020.

4. In view of those decisions, he seeks withdrawal of the petition with liberty to challenge the original order of termination of the petitioner dated 6.5.2016.

5. In view of the fact that, this Court has held that such appeal itself is not maintainable, the petitioner is at liberty to withdraw the present petition with liberty, as prayed.

6. Writ Petition stands disposed off as withdrawn, with the liberty as prayed for.

(S. G. CHAPALGAONKAR, J.) (SMT. VIBHA KANKANWADI, J.)

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aaa/-