



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

WRIT PETITION NO. 14086 OF 2023

**Mangesh Raghunath Gaikwad And Another
VERSUS
The State Of Maharashtra Through Its Principal Secretary And
Others**

...
Advocate for the Petitioner : Mr. T.M. Tukaram
AGP for Respondents : Mr. P S Patil
Advocate for Respondent 5 : Mr. V. C. Patil h/f Mr. U B Bondar
Advocate for Respondent 6 : Mr. V.S.Valse
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**CORAM : SMT. VIBHA KANKANWADI AND
S. G. CHAPALGAONKAR, JJ.**

Dated : March 04, 2024

PER COURT :-

1. We have heard the matter on 1.3.2024 for a while and, thereafter, it has been pointed out that both the Petitioners have already filed two separate writ petitions i.e. Writ Petition No.10410 of 2023 and 9962 of 2023, respectively. As regards, petitioner no.1 is concerned, there is direct prayer in the earlier petition, which he is now seeking. As regards, petitioner no.2 is concerned, though there is no direct prayer which included or it can be included in the said petition, because he is praying for consequential relief in the said petition. After it is so noticed, matter was adjourned till today for taking instructions by the learned Advocate for the Petitioners.

2. Learned advocate for the petitioners, after taking into consideration the instructions, seeks withdrawal of the present petition with liberty to pursue earlier petitions by the respective petitioners.

3. It was the duty of the Petitioners to inform the learned advocate to whom they have engaged now that there is already petitions preferred by them. Thereupon, the advocate would have considered those petitions while considering whether to file a fresh petition or not. Suppression of the petitions earlier filed can be clearly seen in this matter. Further, there is a specific statement made by the petitioners that they have not filed any other petition before this Court touching the present subject matter, which can be taken as a misleading and wrong statement. Under the said circumstances, while permitting the petitioners to withdraw the petition, we impose costs.

4. Writ Petition stands **dismissed as withdrawn**, with the liberty, as prayed for. Both the petitioners to deposit an amount of Rs.10,000/- (Rs. Ten Thousand) **Each**, in this Court within a period of Two (2) Days from today and receipt to be submitted in the pending writ petitions.

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

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aaa/-