



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

915 WRIT PETITION NO. 14145 OF 2025

Arun Yadavrao Dalve

VERSUS

The State Of Maharashtra Through Its Secretary And Others

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Advocate for Petitioner : Mr. G.V. Wani h/f S.S. Randive

AGP for Respondents: Mr. S.B. Pulkundwar

Advocate for Respondents 2,3 : Mr. V D Salunkhe

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**CORAM : SMT. VIBHA KANKANWADI &
HITEN S. VENEGAVKAR, JJ.**

Dated : December 23, 2025

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PER COURT :-

1. We have head the matter yesterday as well as today.
2. Learned advocate Mr. Salunke, appears for respondent nos.2 and 3. We have heard learned advocate Mr. Wani h/f Mr. Randive for the petitioner. Today, the petitioner has given affidavit.
3. When we had closed the matter yesterday, it was found that the petitioner, who has served as Principal at Vasundhara Mahavidyalaya, Ghatnandur, Tq. Ambajogai, District Beed is facing inquiry, for which a Retired District Judge has been appointed to hold the inquiry.

4. The petitioner appears to have engaged his friend i.e. the person to represent him in conducting the inquiry and some incident have taken place which have been also noted by the Inquiry Officer. Even, the petitioner's written statement/letter dated 12.12.2025 contains unnecessary derogatory remarks and when opportunity was then given after cancellation of appearance of the permission to appear through friend by the inquiry officer to engage advocate, he had not taken the opportunity. Now, in the affidavit he has stated that he would engage an advocate as per the orders outlined in Exhibit 9 and 13 of the inquiry. The petitioner has also tendered unconditional withdrawal of the statements made regarding inquiry officer in his letter dated 12.12.2025. He states that he has no intention to disrespect the Inquiry Officer and has tendered unconditional apology.

5. In view of this development, learned advocate for the petitioner seeks withdrawal of the petition with liberty for keeping all the issues open.

6. The petitioner is entitled to defend himself by engaging a friend or through Advocate by taking permission of the Inquiry Officer. Now, it appears that appearance of the friend has been

cancelled by the Inquiry Officer by giving detailed and reasoned order, which need not be interfered with. Further, when now the petitioner undertakes that he would engage Advocate of his choice, certainly, the Inquiry Officer would give proper opportunity to the petitioner to defend himself.

7. Learned advocate Mr. Salunke, upon instructions, also makes a statement that, even if the petitioner prays for cross-examination of the witnesses who have been examined, then, respondent nos.2 and 3 will not raise objection for the same. When, the petitioner is having opportunity to defend himself on every point, we need not say that the issues are kept open. Yet we are clarifying that they are available for the petitioner to be raised at the appropriate stage. With these directions, we **dispose off** the Writ Petition, as withdrawn.

(HITEN S. VENEGAVKAR, J.) (SMT. VIBHA KANKANWADI, J.)

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