



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 18339 OF 2024

Atharva Rushikesh Modak

... Petitioner

Vs.

State of Maharashtra, through School Education
and Sports Dept. & Ors.

... Respondents

Mr. Anil Anturkar, Senior Advocate a/w. Mr. Atharva A. Date for the petitioner.
Ms. T.J. Kapre, AGP for the respondents/State.

CORAM: G. S. KULKARNI &
ADVAIT M. SETHNA, JJ.

DATED: 22 April, 2025

P.C.

1. We have heard learned counsel for the parties.
2. After this petition was heard for sometime, considering the reply affidavit filed on behalf of the State Government and more particularly annexed to affidavit, namely, Exhibit R-3(Page 246), which would indicate that the petitioner has received 8 marks considering his best performance for three years and not 26.50 marks as contended by the petitioner from Exhibit D (Page 127), learned counsel for the petitioner seeks leave to withdraw this petition with liberty to challenge the grant of 8 marks by filing a fresh and appropriate petition including to raise all contentions as raised in the present petition..
3. Allowed to be withdrawn with liberty as prayed for.
4. All contentions are expressly kept open.
5. Disposed of. No costs.

(ADVAIT M. SETHNA, J.)

(G. S. KULKARNI , J.)