

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO. 5165 OF 2024

Dinesh Yashwant Mahale ...Petitioner
Versus
Municipal Corporation of Greater Mumbai & Ors. ...Respondents

Mr. Amey C. Sawant for the Petitioner.
Ms. Rupali Adhale i/b. Ms. Komal Punjabi for Respondent – BMC.

**CORAM : R. I. CHAGLA AND
ADVAIT M. SETHNA, JJ.**

DATED : 16th MARCH, 2026

P.C.:-

1. The learned counsel appearing for the Petitioner has sought for withdrawal of the Writ Petition on similar terms as the Petitioner in Writ Petition No.5162 of 2024 had sought. He has referred to the order dated 24 February 2026 passed in that Petition. In that case, the impugned order dated 29 April 2024 of suspension of the Petitioner in service of the Respondent No.2 had come to an end by passing of the order dated 5 December 2024 and the Petitioner had been reinstated in the post of Station Officer from the date of issuance of reinstatement order against him, subject to the final decision in the Petition.

2. He has submitted that in the present Petition, the impugned order dated 7 May 2024 passed by Respondent No.4 - Assistant Commissioner,

G/South Ward of the BMC has come to an end by passing of order dated 9 December 2024 and suspension of the Petitioner in service of Respondent No.1 – BMC has been cancelled and he has been reinstated at the post of Sub-Engineer with the Respondent No.1 – Corporation from the date of issuance of reinstatement order against him, subject to final decision of the Court. However, his suspension period has not be taken into consideration and the Petitioner has accordingly sought leave to withdraw the Petition by filing a fresh Petition.

3. Accordingly, leave is granted.
4. Writ Petition No.5165 of 2024 is disposed of as withdrawn with liberty granted to the Petitioner to file a fresh Petition in view of the subsequent events and the period of suspension not being taken into consideration.
5. Writ Petition is accordingly disposed of as withdrawn.

[ADVAIT M. SETHNA, J.]

[R.I. CHAGLA, J.]