IN THE HIGH COURT OF MADHYA PRADESH AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE G. S. AHLUWALIA

ON THE 14th OF OCTOBER, 2024

WRIT PETITION No. 28050 of 2024

LAXMAN AHIRWAR,

Versus

M.P. STATE CIVIL SUPPLIES CORPORATION AND OTHERS

Appearance:

Shri Siddharth Gulatee – Advocate for petitioner.

Shri Mohan Sausarkar – Government Advocate for respondents /State.

ORDER

This petition under Article 226 of Constitution of India has been filed seeking following relief(s):-

> "(a) To issue a writ in the nature of certiorari and FIR no.0386 (Annexure P-5) dated 02.09.2024 registered by the respondent No.5 may kindly be quashed.
>
> (b) To issue a writ in the nature of certiorari and order dated 02.09.2024 (Annexure P-6) bearing order no.827 passed by the respondent no.1 may kindly be quashed.
>
> (c) This Hon'ble court be further pleased to pass such other order(s) as it may deem fit under the circumstances under the case."

2.   By this petition, petitioner has challenged FIR as well as order of suspension.

3.   As per roster, this Court has a jurisdiction to entertain writ petitions other than service matter. Since order of suspension would fall within the

category of service matter and two different orders have been challenged by filing a composite writ petition, therefore counsel for petitioner seeks permission of this Court to withdraw this petition so far as it relates to suspension of petitioner by order dated 02.09.2024 with liberty to file a fresh writ petition assailing the said order.

4.   With aforesaid liberty, the petition, so far as it relates to challenge to the order dated 02.09.2024 is concerned, the same is permitted to be withdrawn.

5.   So far as the question of registration of FIR is concerned, after arguing the matter at length, counsel for petitioner seeks permission of this Court to withdraw this petition with liberty to raise all possible defences, which may be available to the petitioner in the trial.

6.   With aforesaid liberty, petition is **dismissed as withdrawn**.

                                          (G.S. AHLUWALIA)
                                          JUDGE

VB*