

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.
APPELLATE SIDE JURISDICTION

WRIT PETITION NO. 61 OF 2015
WITH CA/2193/2015 IN WP/61/2015
WITH CA/2380/2015 IN WP/61/2015

DEEPAK PURUSHOTTAM KULKARNI
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. Deshmukh Rajendra S.

AGP for Respondents: Mr.D.B.Bhange.

Advocate for Respondent Nos.2, 3 and 4 : Mr.P.V.Mandlik, Senior Counsel,
i/b Mr.A.M.Karad

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CORAM : **S. V. GANGAPURWALA and**
V. L. ACHLIYA, JJ.

DATE : 24th February, 2015.

P.C.:

. Heard Mr.Deshmukh, learned counsel for the Petitioner.

2 Mr.Mandlik, learned Senior Counsel raises a preliminary objection that the Petitioner has a remedy open under Section 451 of the Maharashtra Municipal Corporations Act before the State Government.

3 We have also heard Mr.Talekar, learned counsel, Mr.Biradar, learned counsel, Mr.Sapkal, learned counsel and Mr.Golegaonkar, learned counsel, for the purpose of assistance only.

4 All these learned counsel submit that the Petitioner has a remedy under Section 451 of the Maharashtra Municipal Corporations Act.

5 In light of that, though Mr.Deshmukh, learned counsel for the Petitioner sought to canvass submissions on merit, we are not considering the same. The writ petition is disposed of with liberty to the Petitioner to avail the alternate remedy. All contentions of the Petitioner

and the Respondents are kept open. No costs.

6 As far as the civil applications for intervention are concerned, they are not required to be considered and the same stand disposed of.

[V. L. ACHLIYA, J.]

[S. V. GANGAPURWALA, J.]

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