

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY BENCH
AT AURANGABAD**

WRIT PETITION NO. 2892 OF 2015

Ramkor Baburao Gatkhal

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Shri Gulabrao K. Salve, Advocate for the Petitioner.

Shri G. K. Thigle, Addl.G.P. for Respondents/State.

Shri Y. K. Bobade, Advocate h/f Shri S. S. Tope, Advocate for the
Respondent No. 2.

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

DATE : 13TH MARCH, 2015.

PER COURT :

. The learned counsel for the respondent No. 2 states that, the petitioner has remedy by way of an appeal. The learned counsel for the petitioner also agrees for the same, but states that, the circular relied is inapplicable.

2. When the remedy of appeal is available, it is for the Appellate Authority to consider all the aspects. The writ petition is disposed of with liberty to the petitioner to avail the alternate remedy. All contentions are kept open. The forum where the proceedings would be filed, shall consider the time spent in prosecuting the present writ petition. No costs.

[V. L ACHLIYA, J.]

[S. V. GANGAPURWALA, J.]

bsb/March 15