

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

WRIT PETITION NO. 4831 OF 2014

Bhujangrao Ganpatrao Gavhane,
Age: 68 years, Occ: Agri.,
R/o. Dhobi Galli, Mukhed,
Taluka Mukhed, Dist. Nanded.

...Petitioner

versus

1. Sub Divisional Engineer,
Bharat Sanchar Nigam Ltd.,
Mukhed Office, Taluka Mukhed,
Dist. Nanded.

2. General Manager,
Bharat Sanchar Nigam Limited,
General Manager Office,
Godavari Complex, Nanded,
Taluka & Dist. Nanded.

...Respondents

.....
Mr. Santosh S. Patil, Advocate for petitioner.
Mr. A.M. Sharma, Advocate for respondent Nos. 1 & 2.
.....

CORAM : N.W. SAMBRE, J.

DATED : 7TH JANUARY, 2015

PER COURT :

. Learned Counsel for the petitioner submits that the order dated 17/04/2014 passed in First Appeal No. 92 of 2014 preferred by the petitioner, before Maharashtra State Consumer Dispute Redressal Commission, Mumbai, Circuit Bench, Aurangabad, dismissing the appeal of present petitioner, may be set aside in view

of judgment of this Court in the matter of Maharashtra University of ***Health Sciences, Nashik vs. Sachin Manohar Nagpure and others*** reported in ***2013 (5) Mh.L.J. 472***.

2. Learned Counsel for the respondents submits that the petition is not tenable as alternative remedy is available.

3. Having considered the law cited in the judgment referred supra, it will appropriate to quash and set aside the order impugned subject to payment of costs of Rs.3000/- (Rs. Three thousand only) before the Maharashtra State Consumer Dispute Redressal Commission, Mumbai, Circuit Bench, Aurangabad, within a period of three weeks from today. Payment of costs is condition precedent. Parties agree that they shall appear before the Maharashtra State Consumer Dispute Redressal Commission, Mumbai, Circuit Bench, Aurangabad, on 02/02/2015. The writ petition is allowed to above extent.

[N.W. SAMBRE, J.]