

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

**WRIT PETITION NO. 11965 OF 2014**

Gokul s/o Pandurang Kale

**.. PETITIONER**

**VERSUS**

The State of Maharashtra  
& another

**.. RESPONDENTS**

Mr. B.S. Chondhekar, advocate for petitioner.  
Mr. S.K. Kadam, AGP for the State.

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**CORAM : R.M. BORDE &  
P. R. BORA, JJ.**

**DATE : 6<sup>th</sup> JANUARY, 2015.**

**PER COURT :**

1. Petitioner is raising grievance in respect of unauthorised construction being carried out by one Mr. Kale without proper sanction of respondent no. 2. Petitioner is neighbour of Mr. Kale against whom allegations in respect of raising illegal construction are made. Petitioner contends that as a result of raising unauthorised construction, the old structure belonging to the petitioner is likely to be affected.

2. Considering the nature of controversy, it would be open for the petitioner to avail of alternate remedy. Instant petition invoking extra ordinary jurisdiction under Article 226 of the Constitution of India, need not be entertained. Writ petition stands dismissed keeping the option to avail of alternate remedy open for the petitioner.

**( P. R. BORA )  
JUDGE**

**( R. M. BORDE )  
JUDGE**