

IN THE COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO. 3179 /2015

(Petron Envirox -Guniana J.V.Myumbai vs. Municipal Council, Khamgaon and two others)

Office Notes, Office Memoranda of
Coram, appearances, Court's orders
of directions and Registrar's orders

Court's or Judge's order

Mr.S.V.Sirpurkar, Advocate for the petitioner
Mr.S. D.Chande, Advocate for Respondent No.1
Miss N.P. Mehta, Asst. Govt.Pleader for respondent no.3

**CORAM : SMT. VASANTI A. NAIK &
A.S. CHANDURKAR, JJ.**

DATED : 16th September, 2015.

Heard.

By this petition, the petitioner challenges the resolutions of Khamgaon Municipal Council, dated 10.2.2015 and 31.3.2015.

The learned counsel for the respondent no.1 states that the petitioner has availed two remedies simultaneously. It is stated that the petitioner has already challenged the impugned resolutions of Khamgaon Municipal Council, before the Collector Buldana. It is stated that the matter is pending before the Collector, Buldana. It is stated that when an alternate remedy is availed, the petitioner cannot be permitted to challenge the same resolutions by this Writ Petition.

By upholding the objection raised on behalf of

the respondent no.1, we dispose of the Writ Petition with a direction to the Collector, Buldana to decide the Appeal/Application filed by the petitioner, if not decided as yet, as early as possible and positively within a period of three weeks. The parties are directed to appear before the Collector, Buldana on 21st September, 2015, so that the issuance of notice to the parties could be dispensed with. The points raised in the petition are kept open. Order accordingly. No costs.

JUDGE

JUDGE

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