

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.6837 OF 2014

[Parmanand s/o Bhaulal Upwanshi .vs. Dayaramji Tukaram Agashe and others]

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

Court's or Judge's orders

Shri S.D. Sirpurkar, counsel for the petitioner,
Shri A.Y. Kapgate, counsel for respondent no.6,
Shri S.M. Bhagde, AGP for respondent no.7.

CORAM : SMT. VASANTI A. NAIK AND
A.M. BADAR, JJ.

DATED : APRIL 15, 2015.

Heard.

The learned counsel for the respondents raised a preliminary objection to the tenability of the writ petition on the ground that the petitioner has an alternate efficacious remedy of challenging the order of the Divisional Commissioner in an appeal under Section 39 (3) of the Maharashtra Village Panchayat Act, 1958 before the State Government. It is stated that, without availing the alternate remedy, the petitioner has approached this court.

By upholding the preliminary objection raised by the learned counsel appearing on behalf of the respondents, we dispose of the writ petition, with no order as to costs. The points raised in the writ petition are, however, kept open.

JUDGE

JUDGE