

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

WRIT PETITION NO.7079 OF 2014

SAU. SUNITA W/O RAJENDRA WADHE

.. VS ..

CHIEF EXECUTIVE OFFICER, ZILLA PARISHAD BULDHANA AND OTHERS

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

Court's or Judge's order

..
Shri P.S. Kshirsagar, counsel for the Petitioner.
Shri S.M. Ukey, counsel for R-1.
Shri N.S. Badhe, counsel for R-3.

CORAM : SMT. V.A. NAIK &
A.M. BADAR, JJ.
DATE : APRIL 13, 2015.

Heard.

Learned counsel for the respondent No.1 raises a preliminary objection to the tenability of the writ petition on the ground that the petitioner has an alternate remedy for challenging the order of the Chief Executive Officer, Zilla Parishad before the Divisional Commissioner (Revenue). It is stated that the petitioner has approached this Court without availing the alternate remedy.

By upholding the preliminary objection raised on behalf of the respondent No.1, we

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permit the petitioner to withdraw the writ petition with liberty to file an appeal before the Divisional Commissioner.

The learned Counsel for the petitioner states that the appeal would be filed before the Divisional Commissioner within a period of fifteen days. If it is so filed, the Divisional Commissioner should decide the the same as early as possible and positively within a period of three months.

Order accordingly. No costs.

JUDGE

JUDGE

!! BRW !!

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