

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.37880 of 2012

ORDER:

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As there was no representation on behalf of the petitioners on 05.10.2015, the matter was directed to be listed on 06.10.2015 under the caption 'for orders'. Even on 06.10.2015, there was no representation on behalf of the petitioners, inspite of the matter being posted under the caption 'for orders' and hence the matter was adjourned to be listed under the caption 'for dismissal'. Even today, when the matter was called in the morning as well as in the afternoon, there is no representation on behalf of the petitioners, inspite of the matter being listed under the caption 'for dismissal'. It appears that the petitioners are not interested in pursuing the Writ Petition. Even otherwise, it is to be noted that a remedy of appeal lies against the impugned order and without availing the same, the petitioners preferred the present Writ Petition. The Apex Court in **Commissioner of Income Tax v.Chhabil Dass Agarwal**^[1] held that “ *the High Court will not entertain a petition under Article 226 of Constitution, if an effective alternative remedy is available to the aggrieved person or the statute under which the action complained of has been taken itself contains a mechanism for redressal of grievance still holds the field. Therefore, when a statutory forum is created by law for redressal of grievances, a writ petition should not be entertained ignoring the statutory dispensation.*”

In view of the judgment referred to above and having regard to the said circumstances, I see no reason to entertain this Writ Petition and the same is accordingly dismissed. No order as to costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE C. PRAVEEN KUMAR

26.10.2015
vnb

[\[1\]](#) (2014) 1 SCC 603