

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.29690 of 2015

ORDER:

Heard.

The petitioner is aggrieved by the resumption order, dated 28-05-2014 passed by the 3rd respondent as confirmed by the 2nd respondent under the impugned order, dated 04-08-2015.

Learned counsel for the petitioner states that the 3rd respondent has not issued any notice to the petitioner before passing the resumption order, dated 28-05-2014 and the said aspect specifically raised by the petitioner was not dealt with by the 2nd respondent and passed the impugned order. The petitioner, therefore, challenges the order of the 2nd respondent in this writ petition.

Admittedly, the petitioner has an effective alternative remedy of approaching the revisional authority, whereupon all the questions of facts as well as legal contentions can be examined and adjudicated by the revisional authority. There is no reason why this Court should exercise the power of judicial review against the said order, when the petitioner has an efficacious alternative remedy. In order to protect the petitioner for the time being, the impugned order of the 2nd respondent, dated 04-08-2015 shall remain stayed for a period of two weeks from today, within which, the petitioner is at liberty to avail alternative remedy and seek appropriate interim orders from the revisional authority.

Accordingly, the writ petition is disposed of. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

VILAS V.AFZULPURKAR, J

Date: 11-09-2015

Prv

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