

**THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR**

**WRIT PETITION No.42504 OF 2015**

**ORDER:**

Against the order of resumption dated 05.12.2015, which is stated to have been served on the petitioners on 23.12.2015, the present writ petition is filed by the petitioners *inter alia* on the ground that neither the explanation submitted by them nor the documents submitted in response to the notice before the fourth respondent was considered before passing the resumption orders.

2. On the earlier instance also, the fourth respondent had passed a resumption order, against which, the petitioners have initially preferred W.P.No.2920 of 2009 and the same was disposed of on 16.02.2009 permitting the petitioners to avail the remedy of appeal and *status quo* was directed to be maintained for a period of four weeks. Thereafter, the petitioners preferred an appeal, which came to be allowed on 11.06.2011 remitting the matter to the fourth respondent to enquire afresh. Thereafter, the fourth respondent issued notices to the petitioners inviting their explanations and documents, and passed the impugned order on 05.12.2015.

3. In spite of preferring appeal, the present writ petition is filed by the petitioners on the ground that the order does not disclose any reasons and also does not consider the explanation and documents submitted by the petitioner. Hence, I do not find any reason to entertain the writ petition. The petitioners have efficacious alternative remedy against the said order instead of approaching this Court, they could have as well approached the third respondent.

4. Hence, with a liberty to the petitioners to avail the said remedy and directing *status quo* as on today with regard to the lands to be maintained for a period of two (02) weeks from today, the Writ Petition is accordingly disposed of. There shall be no order as to

costs. Miscellaneous Petitions, if any, pending in this writ petition,  
shall stand closed.

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**JUSTICE VILAS V. AFZULPURKAR.**

Date :30.12.2015  
Note : **C.C. on Monday**  
B/o  
Gvl