

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.1601 OF 2016

Suresh s/o Manoharlal Dhariwal
and others.

...PETITIONERS

VERSUS

The State of Maharashtra
and others.

...RESPONDENTS

...

Mr.A.S. Bajaj Advocate for Petitioners.
Mr.S.S. Dande, A.G.P. for Resp. No.1.
Mr. V.J. Dixit, Senior Counsel i/b. Mr. G.V.
Wani Advocate for Resp. Nos. 2 and 3.

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CORAM: R.M. BORDE AND
A.I.S. CHEEMA, JJ.

DATE : 18TH FEBRUARY, 2016

ORDER :

1. Since prima facie we are of the opinion that the Petition raises disputed questions of facts, it is desirable that the Petitioners shall be left to avail of the alternate remedies provided under the law.

2. In order to facilitate the Petitioners to avail of the alternate remedies, we grant protection for a period of fifteen days and direct the Municipal Council, Jamner not to take any coercive action for a period of FIFTEEN DAYS from today. It would be open for the Forum / competent Civil Court, to which the Petitioners may approach, to consider the matter on its own merits and pass orders in accordance with law without being influenced by the fact that this Court has intervened and granted protection for fifteen days.

3. The Writ Petition stands disposed of.

[A.I.S. CHEEMA, J.]

asb/FEB16

[R.M. BORDE, J.]