

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD

WRIT PETITION NO. 6123 OF 2016

Ganesh Asaraji Gadekar and others ... Petitioners

Versus

The State of Maharashtra and others ... Respondents

.....

Mr. K. D. Khade, Advocate for petitioners

Mr. S. K. Tambe, Assistant Government Pleader for
respondents

.....

CORAM : SUNIL P. DESHMUKH, J.

DATE : 14th JUNE, 2016

ORDER :

1. Learned counsel for the petitioners express extreme exigency in the matter, stating that the impugned notice purports to direct the petitioners to vacate concerned land within a period of three days and as such, they are before this court.

2. Whereas, learned Assistant Government Pleader refers to provisions under the Maharashtra Land Revenue Code, 1966 and states that an alternate efficacious remedy is available for petitioners in the form of appeal.

3. In view of aforesaid submissions on behalf of the State, I do not deem it appropriate to go ahead with the writ petition, letting it open for the petitioners to avail of alternate remedy as stated by the learned Assistant Government Pleader.

4. Learned counsel for the petitioners, at this stage apprehends that the impugned notice may be acted upon. However, taking into account aforesaid, no coercive action be taken against the petitioners pursuant to the impugned notice for a period of fortnight in order to enable the petitioners to avail of alternate remedy as suggested by the learned Assistant Government Pleader.

5. Writ petition, as such, stands disposed of.

(SUNIL P. DESHMUKH, J.)

sms