

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 139 OF 2016

TEJASHRI ASHOK AWACHAR AND OTHERS
VERSUS
ASHOK JAIRAM AWACHAR

...

Advocate for Petitioners : Mr. Vilas P. Savant

Advocate for Respondents : Mr. S.R. Bagal

.....

CORAM : V. K. JADHAV, J.
DATED : 9th FEBRUARY, 2016

PER COURT:-

1. Learned counsel for the respondent-sole raises a preliminary objection that as per the provisions of Section 47 of the Guardians and Wards Act 1890, the appeal is provided against the order passed under Section 25, making or refusing to make an order for the return of a ward to the custody of his guardian, to the High Court.
2. In view of this, though learned counsel for the petitioner sought to canvass his submissions on merits, I am not inclined to consider the same. The petitioner may avail alternate remedy as provided under Section 47 of the Guardians and Wards Act 1890. Writ petition is disposed of. No costs.
3. The petitioner is at liberty to claim exclusion of time spent in prosecuting the present writ petition.

(V. K. JADHAV, J.)