

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

WRIT PETITION NO. 11806 OF 2016

Krishna s/o. Venkatrao Nemaniwar,
Age:39 years,
Occ. Agri. and Service,
r/o.Welmapura, Kinwat,
Tq. Kinwat, Dist.Nanded

..Petitioner

Vs.

1. State of Maharashtra,
(The Department of Urban
Development, Government
of Maharashtra, Mantralaya,
Mumbai – 32
2. The District Collector,
Nanded, Dist. Nanded.
3. The Kinwat Municipal Council,
Kinwat, Tq. Kinwat,
Dist. Nanded
Through the Chief Officer,
4. Narayanrao s/o. Mukundrao
Nemaniwar, Age : 70 years,
Occ. Agri.,
r/o. Yelmapura, Kinwat,
Tq. Kinwat, Dist. Nanded

..Respondents

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Mr.A.G.Godhamgaonkar, Advocate for petitioner
Mr.A.B.Girase, G.P. and Mr.A.V.Deshmukh, A.G.P. for
respondent nos.1 and 2

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**CORAM : R.M. BORDE AND
SANGITRAO S. PATIL, JJ.
DATE : NOVEMBER 30, 2016**

PER COURT :

Heard.

2. The petition raises disputed question of facts which need not be dealt with in the instant petition under Article 226 of the Constitution of India.

3. The learned Government Pleader for respondent nos.1 and 2, on instructions, states that no adverse action would be taken against the petitioner for a period of fifteen days so as to enable the petitioner to approach the appropriate forum for redressal of his grievance.

4. It would be open for the petitioner to avail of the alternate remedy available under the law for redressal of his grievance. As has been stated by the learned Government Pleader, no adverse action would be taken against the petitioner during the aforesaid period.

5. It is clarified that we have not expressed any opinion as regards the merits of the claim of the petitioner and it would be for the alternate forum to take appropriate decision on consideration of merits of the claim of the petitioner and in accordance with provisions of law.

6. In view of above, the Writ Petition stands disposed of. Pending Civil Application, if any, stands disposed of.

[SANGITRAO S. PATIL, J.]

[R.M. BORDE, J.]

kbp