

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 1439 OF 2016

Advyappa B. Talsangi and ors. .. Petitioners
vs.
Sadashiv V. Fadtare and ors. .. Respondents

Mr. Mithun Mahajan for the Petitioners.
Ms M.S. Bane, B-Panel Counsel for Respondent Nos.2 to 4.

CORAM : M. S. SONAK, J.
DATE : 2 FEBRUARY 2016.

P.C. :-

- 1] Not on board. Upon production, taken on board.
- 2] The order which is impugned in this petition appears to be only a notice requiring the Petitioners to show case. That apart, even assuming that the same is an order, the Petitioners, admittedly have an alternate, efficacious ad statutory remedy available to them him by way of institution of an appeal before the Deputy Director, Pune Division under the provisions of the Bombay Prevention of Fragmentation and Consolidation of Holdings Act, 1947 (said Act). Therefore, there is no necessity to entertain the present petition and same is dismissed. However, it is clarified that this dismissal is not on merits and the Petitioners are at liberty to take appropriate proceedings, including, by way of institution of an appeal under the said Act.
- 3] All concerned to act on the basis of authenticated copy of this order.

(M. S. SONAK, J.)

