

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2124 OF 2016

Kumar Tarachand Karamchandani and another	Petitioners
versus	
Housing and Urban Development Corpn. (HUDCO) and others	Respondents

Mr.Drupad S. Patil for Petitioners.
Mr.V.N.Ajitkumar for Respondent no.1.

CORAM : D.H.WAGHELA, C.J. AND
SMT.V.K.TAHILRAMANI, J.

DATE : 18 February 2016

PC :

1. Heard learned counsel for the parties. The Petitioner has an alternate efficacious remedy available of filing an appeal before Debts Recovery Appellate Tribunal. Without exhausting the said remedy, the Petitioner has filed present writ petition.

2. The constitution Bench of Supreme Court in the case of **Thansingh Nathmal Vs. The Superintendent of Taxes, Dhubri and others**¹ has expounded that when an alternate efficacious remedy is available, a writ petition should not be entertained.

¹ AIR-1964-SC-1419

3. In view of the above, this writ petition is dismissed. No order as to costs. It is made clear that all contentions of both sides are kept open.

(CHIEF JUSTICE)

(SMT.V.K.TAHILRAMANI, J.)

MST