

ssp

FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2211 OF 2014

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
--	---------------------------

Mr.Subhash Gutte for the Petitioners

Mr.V.S.Gokhale, AGP for the Respondent Nos.1 to 3.

CORAM : A.S.OKA, &
C.V.BHADANG,JJ.

DATE : JANUARY 20, 2016.

P.C.

1 Heard the learned counsel for the petitioners. The only substantive prayer in this petition is prayer clause (b) which reads thus:

"(b) This Hon'ble Court may be pleased to issue Writ of Mandamus or any other appropriate Writ order or directions in the like nature thereby to direct the respondent Nos.2 and 3 to take decision/action against the railway authority as per notice dated 15/5/2008 (At Exh.`C' Colly') for recovery of damaged compensation of the petitioners damaged land with interest within time bound period."

2 We have perused the notice dated 15th May 2008 (Exhibit-C to the petition). The said notice is specifically issued under section 80 of the Code of Civil Procedure, 1908. If the grievance of the petitioners is that no action has been taken on the basis of the said notice, their remedy is to file a civil suit.

3 Hence, writ jurisdiction under Article 226 of the Constitution of India cannot be allowed to be invoked by the petitioner. Accordingly, we dispose of the petition by keeping the remedies of the petitioners open.

(C.V.BHADANG, J.)

(A.S.OKA, J.)