

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION St. NO.10387 OF 2016**

Umesh Janardan Korgaonkar

..Petitioner

Vs.

The District Collector, Sindhudurg & Ors

..Respondents

Mr. Prashant Bhavake for the Petitioner

Mrs. M. S. Bane "B" Panel Counsel for the Respondent Nos.1 & 2

CORAM : R. M. SAVANT, J.

DATE : 15th APRIL, 2016

P.C.

1 The Petitioner has already filed a Suit in the Court of the Learned Civil Judge Senior Division, Sindhudurg, at Oros, challenging the order passed by the Tahsildar Kudal. On the last date, the Petitioner was therefore asked to take instructions as to whether the Petitioner wants to prosecute the alternate remedy before the Collector, Sindhudurg or to prosecute the Suit. On instructions, the Learned Counsel for the Petitioner Mr. Bhavake states that the Petitioner intends to prosecute the Suit and not file an Appeal before the Collector, Sindhudurg. In view thereof, it is not necessary to entertain the above Petition. The same to accordingly stand dismissed.

2 It would be open for the Petitioner to apply for appropriate relief in the said Suit and if any such application is filed, needless to state that the same would be considered on its own merits and in accordance with law.

[R.M.SAVANT, J]