

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELATE JURISDICTION
CIVIL APPLICATION NO.282 OF 2016 IN
WRIT PETITION NO.9072 OF 2015

Mr.V.P.Sawant i/b Rajesh Singh for the applicant
Mr.V.S.Gokhale, AGP for the respondent Nos.1 and 2.

P.C.:

1 In the main petition, the challenge is to the
show cause notice. Now on the basis of the show
cause notice, the order dated 10th December 2015 has
been passed by the Tahsildar and the Agricultural
Lands Tribunal at Bhiwandi. The applicant has a
statutory remedy available to challenge the said
order.

2 The contention of the applicant is that though
the said order is not served to the applicant, the
same is sought to be implemented.

3 If the respondents have committed breach of the
order passed in the writ petition, the applicant has
a remedy available. As statutory remedy is available

to the applicant, it is not necessary to entertain this application. We, however, make it clear that to enable the applicant to challenge the said order in accordance with law, the said order dated 10th December 2015 shall not be implemented in any manner for a period of one month from today.

4 If entries in the revenue record have been made in breach of the limited protection granted to the petitioner under order dated 9th September 2015 passed in the Writ Petition, it will be open for the applicant, without prejudice to other remedies in law, to apply to the concerned Authorities for deleting entries made as per the impugned order.

5 As an order has been passed on the show cause notice, nothing survives in this writ petition. Accordingly, writ petition and civil application are disposed of. All contentions on merits are kept open.

(C.V.BHADANG,J.)

(A.S.OKA,J.)