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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION No. 87 OF 2015

Smt. Lata Dharmendrakumar Goyal & Anr. ... Petitioners
Vs.
The Collector, District Thane & Ors. ... Respondents

None for the Petitioners.

Mr. V. B. Thadani, AGP for the Respondent Nos. 1 & 2.

Mr. H. V. Mehta, for Respondent No. 3.

CORAM : V. M. KANADE, &
M. S. KARNIK, JJ.

DATE : APRIL 4, 2016

PC.

1. None appears on behalf of the Petitioners. By this petition, which is filed under Article 226 of the Constitution of India, Petitioners are seeking following reliefs:

- “(a) That Rule be issued.
- (b) That this Hon'ble Court be pleased to issue a writ of mandamus directing the Respondent Nos. 1 to 3 not to create any illegal and wrongful rights in favour of any persons in respect of the suit lands mentioned herein above, belonging to the absolute ownership of the Petitioners.

- (c) That this Hon'ble Court, looking into the facts and circumstances of this petition, considering the unnecessary burden, deliberate harassment due to vicious multiple litigations, to the Petitioners, be further pleased to initiate such disciplinary action and fix personal accountability as it may deem fit, just and proper, against the Respondents No. 1 to 3.
- (d) That pending the hearing and final disposal of this Writ Petition, this Hon'ble Court be pleased to direct the Respondent No. 2 to stay all proceedings u/s 7-b of the BT & AL Act in relation to the lands mentioned herein above belonging to the absolute ownership of the Petitioners.
- (e) Ad-interim orders in terms of prayer clause (c) above.
- (f) Any other just and proper remedy as this Hon'ble Court may deem fit.”

2. In our view, petitioners have an alternate remedy of filing a suit or taking out an appropriate proceeding before an appropriate forum. Hence, petition is not maintainable. Reserving the right of the Petitioners to take out an appropriate proceedings, writ petition is disposed of.

Sd/-
[M. S. KARNIK, J.]

Sd/-
[V. M. KANADE, J.]