

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 5651 OF 2017

Sardar Patel Shikshan Prasarak Mandal
Through its President
Israr Sardarmiya Patel .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri S. B. Gastgar, Advocate for the Petitioner.
Shri S. B. Yawalkar, Addl.G.P. for Respondents/State.

**CORAM : S. V. GANGAPURWALA AND
SANGITRAO S. PATIL, JJ.**

DATE : 27TH APRIL, 2017.

PER COURT :

. The petitioner has filed present writ petition against order passed by the Commissioner. The order itself shows that the petitioner has remedy of appeal. Though it is submitted that, order is passed under old Act and new Act came into force in December, 2014, same would not vitiate the order. Even under the provisions of the new Act, Commissioner is a competent authority and appeal is also provided under the new Act.

2. In the light of the above, the writ petition is disposed of with liberty to the petitioner to avail the alternate remedy. All

contentions are kept open. In case such an appeal is filed by the petitioner, the appellate authority shall decide the same expeditiously. No costs.

[SANGITRAO S. PATIL, J.]

[S. V. GANGAPURWALA, J.]

bsb/April 17