

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

964 WRIT PETITION NO. 9674 OF 2016

ABAJI SOPAN BANSODE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr. Urgunde Suhas P.
AGP for Respondents/State : Mr. S.W. Mundhe
Advocate for Respondent No.3 : D.P. Palodkar

...

**CORAM : S.V. GANGAPURWALA &
MANGESH S. PATIL, JJ.
DATE : 06.09.2017**

P.C. :-

. Mr. Palodkar, the learned counsel for the respondent no.3 submits that the claim of the petitioners is belated. The towers are erected in the year 1981 and the claim is made in the year 2016. The learned counsel further submits that alternate remedy is provided under the statute.

2. We have also heard Mr. Urgunde, the learned counsel for the petitioners. In view of the fact that the statute itself provides for remedy, we are not inclined to entertain the writ petition. In case the petitioners avail the remedy provided under the statute, the respondents can agitate all defences available including that of delay. Writ petition stands disposed of. No costs.

[MANGESH S. PATIL, J.]

[S.V. GANGAPURWALA, J.]