

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

WRIT PETITION NO. 5368 OF 2016

**SUDHAKAR DEVENDRA BIRHADE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...
Advocate for Petitioner : Mr. Patil Vinod Prakash
AGP for Respondents 1 to 3 : Mr. A.R.Kale
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CORAM : R.M.BORDE AND K.L.WADANE, JJ.

DATED : 24th APRIL, 2017

O R D E R :

The petitioner has already availed of the alternate remedy. It would be open for the petitioner to pursue the said remedy which has been already availed of. Even otherwise, the questions raised in the instant petition, which involve investigation into facts, need not be entertained. In exercise of extra-ordinary jurisdiction under Article 226 of the Constitution of India, no interference is called for.

2. Keeping open the option of the petitioner, to pursue the alternate remedy that has been already availed of, the Writ Petition stands disposed of.

(K.L.WADANE, J.)

(R.M.BORDE, J.)

dbm/wp5368.16