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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.12757 OF 2016

Madhukar Chintaman Kasar and others. ...Petitioners..

Versus

The State of Maharashtra & others.

...Respondents...

.....

Shri Nikhil S. Jaju, Advocate for petitioners.

Shri A.B. Girase, Government Pleader for respondent no.1-
State.

.....

CORAM: V.M. KANADE &
SANGITRAO S.PATIL, JJ.

DATE: 05.01.2017

ORDER :

1] By this petition, which is filed under Article 226 of the Constitution of India, the petitioners are seeking following reliefs:-

"B] By issuing appropriate writ of certiorari or any other writ or direction or order of like nature, the respondent no.2 Municipal Council, Shrirampur may be directed to take action as per law against the illegal and unauthorized construction which is being raised by the respondent no.3 through its partners in the Final Plot No.813, within the jurisdiction of Municipal Council, Shrirampur, or

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C] By issuing of appropriate writ of certiorari or any other writ or direction or order of like nature the respondent no.2 Municipal Council, Shrirampur may be directed to decide the representation dated 18/10/2016 of the petitioners as per law."

2] In view of availability of alternative efficacious remedy of either filing a suit or approaching the appropriate forum, we are not inclined to entertain this petition. The petition is, therefore, disposed of reserving the right of the petitioners to take recourse to the alternative remedy. All contentions raised by the petitioners in this petition are kept open.

3] The petition is disposed of in the aforesaid terms.
No costs.

(SANGITRAO S.PATIL, J.)

(V.M. KANADE, J.)