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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 4217 OF 2017

V.P.S. High School Lonavala

...Petitioners

Vs.

State of Maharashtra Urban Development
Department & Ors.

...Respondents

Mr. S.N. Chandrachud, Advocate for the Petitioners

Mr. B.V. Samant, AGP for Respondent No.1

Mr. Kashyap Bhalerao h/f. Mr. A.A. Garge, Advocate
for Respondent No.2

CORAM : B.R.GAVAI &

M.S. KARNIK, JJ.

DATED: 14TH AUGUST, 2017

P.C.:

1. The Petitioners have an alternate efficacious remedy by way of statutory appeal under the provisions of Maharashtra Municipalities Act, 1965.
2. The Petition is relegated to the alternate remedy. Needless to state that since the Petitioners on an erroneous presumption wrongly applied for remedy before this Court, they would be entitled for benefit of Article 14 of the Limitation Act, 1963, for the period during which the present Petition was filed if the Petitioners choose

to avail the remedy available in law. The Petition is accordingly disposed of.

(M.S. KARNIK, J.)

(B.R.GAVAI, J.)