

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION  
WRIT PETITION NO. 8962 OF 2017

Ganesh M. Kothavale .. Petitioner  
vs.  
Smt. Suman D. Dabhade .. Respondent

Mr. R.V. Bansode for the Petitioner.

CORAM : M. S. SONAK, J.  
DATE : 07 AUGUST 2017.

**P.C. :-**

1] The challenge in this petition is to the impugned order dated 7<sup>th</sup> January 2017 , by which, the Trial Court has declined to extend the time for filing written statement.

2] The Full Bench of this Court in *Bhartiben Shah vs. Gracy Thomas – 2013 (2) Mah.L.J. 25*, has held that an order refusing to extend the time for filing written statement is a revisable order under Section 34 of the Maharashtra Rent Control Act, 1999. Since, the petitioner has alternate and efficacious remedy available, there is no reason to entertain the present writ petition.

3] If the petitioner institutes a revision petition within four weeks from today, the revisional authority, will show due consideration to the circumstance that this petition had been instituted by the

petitioner to question the impugned order and the same is not being entertained only on the ground of availability of alternate remedy.

4] With aforesaid observations and liberty, the present petition is disposed of.

5] All concerned to act upon an authenticated copy of this order.

**(M. S. SONAK, J.)**