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Councils, Nagar Panchayatas & Industrial Townships Act, 1965. Since the collector ceased to have the jurisdiction over the issue, the matters have been referred to the State Government.

2. We find that the petitioners cannot be permitted to invoke both remedies simultaneously, in view of the doctrine of election. The petitioner has taken recourse to one remedy and prayed to stay the said resolution. We find that the petitioners should pursue the matter before the State Government and seek an appropriate remedy. Needless to state that the State Government before taking any final decision in the matter on merits and in accordance with law, liberty be given to the Petitioners of being heard. Writ petition is accordingly disposed of in the aforesaid terms.

(M.S. KARNIK, J.)

(B.R.GAVAI, J.)