

Sharayu.

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

**WRIT PETITION NO. 7723 OF 2017**

**Shri Rangadaswami Shikshan Vikas  
Mandal**

**...Petitioner**

***Versus***

**The Municipal Commissioner  
Pimpri Chinchwad Municipal  
Corporation & Ors.**

**...Respondents**

-----

Mr. D.S. Mhaispurkar, for the Petitioner.

Mr. D.R. More, for the Respondents No. 1 and 2.

Mr. A.P. Vanarase, AGP, for the Respondent-State.

-----

**CORAM : SMT. VASANTI A NAIK AND  
RIYAZ I. CHAGLA, JJ.**

**DATE : 24 November 2017**

**ORDER :**

Heard.

The learned counsel for the respondent Nos. 1 and 2 raises a preliminary objection to the tenability of the writ petition. It is stated that instead of availing the alternate remedy under Section 406 of the Maharashtra Provincial Municipal Corporation Act, 1949, the petitioner

has filed the instant petition.

In view of the preliminary objection raised on behalf of the respondent Nos. 1 and 2, the learned counsel for the petitioners states that the petitioner would avail the alternate remedy. It is stated that the points raised in the writ petition may be kept open and the *ad-interim* relief granted by this court on 11th July 2017 may be continued for some time, so that the petitioner could file an appropriate application before the commissioner for grant of interim relief till the representation of the petitioner is decided.

The request made on behalf of the petitioner is just and reasonable. Hence, we dispose of the writ petition by keeping the points raised in the petition open. The petitioner may avail the alternate remedy. The *ad-interim* relief granted on 11th July 2017 would operate for a period of six weeks.

Order accordingly. No costs.

[RIYAZ I. CHAGLA J.]

[SMT. VASANTI A NAIK, J.]