

Sharayu.

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

WRIT PETITION NO. 8947 OF 2017

Adarsh Education Society

...Petitioner

Versus

State of Maharashtra & Ors.

...Respondents

Mr. Vaibhav R. Gaikwad, for the Petitioner.

Mr. A.I. Patel, AGP, for the Respondents No. 1, 2,
4 to 6.

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

DATE : 20 November 2017

ORDER :

The learned Assistant Government Pleader for the respondents-State raises a preliminary objection to the tenability of the writ petition. It is stated that the petitioner has an alternate efficacious remedy of filing an appeal under Section 47 of the Maharashtra Regional and Town Planning Act, 1966

In view of the preliminary objection, the learned counsel for the petitioner states that the petitioner would file an appeal under the relevant

provisions before the state government within two weeks. It is stated that the state government may be directed to decide the appeal, if filed, within a reasonable time as the petitioner is desirous of starting the English medium school as per the permission, within three years. The learned counsel seeks permission to withdraw the writ petition, with a view to avail the alternate remedy.

The permission is granted. The writ petition stands disposed of as withdrawn.

If the petitioner files the appeal before the state government under Section 47 of the said Act, the state government is directed to decide the same as early as possible. Order accordingly.

[RIYAZ I. CHAGLA J.] [SMT. VASANTI A NAIK, J.]