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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.1076 OF 2016**

Shri Sayed Asfar Imam

..... Petitioner.

V/s

The State of Maharashtra
and Others

..... Respondents.

Mr. Ghanshyam Upadhyay with Mr. Kamlesh Mishra, Advocate i/b
Law Juris for the Petitioner.

Mr. B.V. Samant, AGP for Respondent Nos. 1 and 2.

Mr. Roopadaksha Basu i/b The Law Point for Respondent Nos. 3 and
4.

**CORAM: B. R. GAVAI &
M.S. KARNIK, JJ.**

DATE: 21st August, 2017

P.C.:-

Petitioner has an alternate efficacious remedy available under the provisions of Section 47 of the MRTP Act. We are therefore not inclined to entertain the Petition under extraordinary jurisdiction of this Court under Article 226 of the Constitution of India. We are relegating the Petitioner to avail the remedy available in law. Since the Petitioner was erroneously prosecuting the present remedy, period during which he was prosecuting the present Petition shall be excluded as per the provisions of section 14 of the Limitation Act.

(M. S. KARNIK, J.)

(B. R. GAVAI, J.)