

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO.3109 OF 2016

Anjuman Kutubuddin Mulla : Petitioner.
versus
State of Maharashtra and anr. : Respondents.

Mr. A A Desai for the Petitioner.
Mr. M P Jadhav AGP for the Respondent Nos.1 and 2.

CORAM : R. M. SAVANT &
SMT. SADHANA S JADHAV, JJ.
DATE : 13th JUNE 2017

PC.

1 In view of the remedy by way of an Appeal under Section 32A of the Bombay Stamp Act being available to the Petitioner against the demand notice dated 07/01/2012, it is not necessary to entertain the above Petition. The learned counsel for the Petitioner seeks to rely upon the judgment of the Division Bench of this Court reported in 2015(3) Mh.LJ 470 in the matter of Mohammed Yusuf s/o Mohammed Ibrahim v/s. State of Maharashtra and ors. The said judgment has been rendered in a Petition which was filed in the year 1999 and was disposed of at the final hearing stage. In our view, if the said judgment supports the case of the Petitioner, the said judgment can very well be brought to the notice of the Appellate Authority. By relegating the Petitioner to the said remedy by way of an Appeal, the above Writ Petition is disposed of. Needless to state that the contentions of the Petitioner are kept open for being urged before the Appellate Authority.

[SMT. SADHANA S JADHAV, J]

[R.M.SAVANT, J]