

The Hon'ble Sri Justice S.V.Bhatt

Writ Petition No.9311 of 2009

Order:

The petitioner challenges the levy and demand impugned in this Writ Petition on various factual and legal objections.

The respondent objects to the maintainability of the Writ Petition on the ground that effective statutory remedy before the Commissioner, Panchayat Raj and Rural Development, is available.

Having regard to the nature of enquiry involved for resolving the dispute, the Counsel requests the Court to permit the petitioner to avail the remedy of appeal.

The learned Assistant Government Pleader for Panchayat Raj does not oppose the request.

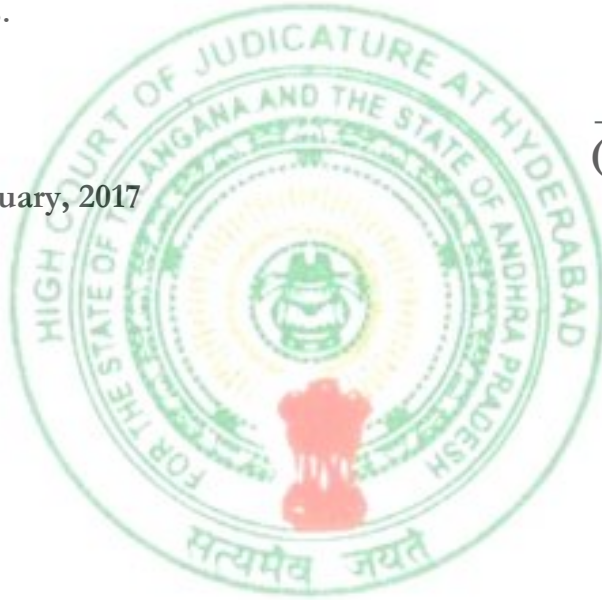
Hence, the Writ Petition is disposed of in the following terms:

- (a) Interim order granted on 30-04-2009 is directed to be continued for a period of four months from today;

- (b) The petitioner is given liberty to avail the remedy of appeal within thirty days from today by enclosing a copy of this order; and
- (c) Within two months thereafter, the appellate authority is directed to hear the appeal and dispose of the same on merits without reference to the delay in its filing.

As a sequel to disposal of the Writ Petition, Miscellaneous Petitions, pending if any, stand disposed of as infructuous.

Dt: 27th February, 2017
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(S.V.Bhatt, J)