

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.7022 OF 2012

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**BHIMRAO DINA KAR GURAV
VERSUS
THE STATE OF MAHARASHTRA & OTHERS**

...

Mr.V.S.Janephalkar, Advocate for the petitioner
Mrs.P.V.Diggikar, AGP for the respondent/State

...

**CORAM: S.S. SHINDE AND
S.M.GAVHANE, JJ.**

DATE : 24.02.2018

ORDER:

1] Heard.

2] By way of filing this Petition under Article 226 of the Constitution of India, the petitioner has prayed for quashing and setting aside the order dated 1st June, 2011, passed by respondent nos.2 and 3 against the petitioner thereby issuing attachment warrant.

3] Pursuant to the said impugned attachment warrant, learned counsel appearing for the petitioner informed this Court that the amount has been deducted from the salary of the petitioner. Be that as it may, the subject matter of this Petition arises out of the admitted fact that the petitioner stood as guarantor to the loan taken by one Mr.Landge Datta Chaganrao. Therefore, in our

opinion, no case is made out to invoke extraordinary writ jurisdiction. We do not wish to undertake exercise of adjudication of the disputed questions of fact. Hence, the Petition stands rejected. We make it clear that rejection of this Petition shall not be construed as an impediment to the petitioner for availing of an appropriate remedy as available in law.

[S.M.GAVHANE]
JUDGE

[S.S.SHINDE]
JUDGE

DDC