

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 9060 OF 2018

Dharmaraj Y. Gadekar ... Petitioner.
V/s.
The State of Maharashtra and ors. ... Respondents.

Mr.B.A. Lawate for the petitioner

Mr.Y.S. Khochare, AGP for Respondent Nos.1 to 4.

CORAM : A.S. OKA AND M.S. SONAK, JJ.

DATE : 17th SEPTEMBER 2018.

P.C.:

1] It is not in dispute that against the impugned order dated 23rd August 2017 (Exhibit-F to the petition), statutory remedies under the Maharashtra Land Revenue Code, 1966 are available.

2] The learned counsel appearing for the petitioner submits that in similar cases where remedy is availed, the proceedings have remained pending for two years. That is no ground to say that this statutory remedy available is not efficacious.

3] We, therefore, decline to entertain this petition under Article 226 of the Constitution of India. The petition is accordingly disposed of with liberty to the petitioner to adopt statutory remedy.

4] If a statutory remedy is adopted within reasonable time from today, the concerned authority is bound to note that the present petition was filed on 15th December 2017 and that the same remained pending till today in this Court.

(M. S. SONAK, J.)

(A.S.OKA, J.)