

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2278 OF 2019

Sadashiv S/o Patilba Wakchaure
& others

Petitioners

Versus

Balasaheb S/o Karbhari Wakchaure
& others

Respondents

Mr. G.D. Nawandar, Advocate holding for Mr. D.R. Korade, Advocate
for the petitioners.

CORAM : Ravindra V.Ghuge, J.

DATE : 21st November, 2019.

PER COURT :

1. The petitioners seek to challenge the order of the
Additional Divisional Commissioner, Nasik dated 16.11.2017.

2. The petitioners have a statutory remedy of preferring
Second Revision before the State in view of the judgment of the
Honourable Apex Court in the matter of Gurudassing Nawoosing
Panjwani Vs. State of Maharashtra [(2016) 2 SCC 213].

3. So also, the Honourable Apex Court has recently taken a

strict view in the matter of Virudhunagar Hindu Nadargal Dharma Paribalana Sabai vs. Tuticorin Educational Society, [2019 SCC Online SC 1292] concluding that when a statutory remedy is available, the High Court should refrain from exercising its supervisory jurisdiction as such a statutory remedy would amount to "Near Total Bar".

4. In view of above, this petition is disposed off with liberty to the petitioners to approach the State. The time spent by the petitioners in this Court from 22.12.2017 till passing of this order, would be a good ground for seeking condonation of delay.

(Ravindra V.Ghuge, J.)

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