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

WRIT PETITION NO.2108 OF 2019

Smt. Sushama W/o Rajesh Junagade
and anr.

..PETITIONERS

VERSUS

The State of Maharashtra and ors.

..RESPONDENTS

Mr Jain V.R. (Kamboj), Advocate for petitioner;
Mr K.N. Lokhande, A.G.P. for respondent no.1

**CORAM : PRASANNA B. VARALE
AND
S.M. GAVHANE, JJ.**

DATE : 15th February, 2019

ORAL ORDER:

Heard learned Counsel appearing on behalf of the petitioners.

2. On perusal of the documents placed on record we find that the petitioners are challenging the order passed by the District Consumer Forum, Jalgaon, dated 20th October, 2018. Though the learned Counsel submitted before us that the Dispute was pending for a considerable long period and the District Consumer Forum failed to consider the relevant aspects of the matter and even considering these submissions we were of the opinion that when there is a specific remedy available under the Consumers Protection Act for the

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petitioners to challenge the order of the District Consumer Forum before the State Commission by taking up appropriate proceedings, we were not inclined to entertain the petition. The learned Counsel then prayed for withdrawal of the petition with liberty to avail the appropriate remedies. Petition is allowed to be withdrawn with liberty as prayed for.

3. Learned Counsel submits that in view of the order of the District Consumer Forum, the petitioners are faced with issuance of warrant and if the protection is not granted to them till the period they approach the State Commission, a serious prejudice would be caused to the petitioners.

4. In view of the submissions of the learned Counsel, the order of the District Consumer Forum is stayed only for a period of two weeks from today. No further extension would be granted on any count.

5. All contentions are kept open.

(S.M. GAVHANE, J.)

(PRASANNA B. VARALE, J.)

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