

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

WRIT PETITION NO.3640 OF 2018

KAMLAKAR ANANDA PATARE AND ANOTHER
VERSUS
THE ADDITIONAL COMMISSIONER NASHIK AND OTHERS

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Advocate for the Petitioners : Shri Gaware Niteen V.
AGP for Respondents 1 to 4 : Shri S.R.Yadav.
Advocate for Respondents 5 and 6 : Shri Korhalkar Chandrashekar V.

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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 26th February, 2019

Per Court:

1 This matter was heard for quite some time on 25.02.2019 and on the request of the parties, was posted today for passing orders.

2 Shri Korhalkar, learned Advocate for Respondent Nos.5 and 6, submits that the Petitioners are not the Plaintiffs in the pending civil suit, which is referred to in this petition paper book.

3 The learned Advocate for the Petitioners submits that the Petitioners are agreeable to avail a statutory remedy in view of the judgment in *Gurudassing Nawoosing Panjwani vs. State of Maharashtra and others, 2016 (2) SCC 213 : 2015 (6) Mh.L.J. 915 (SC)*. It is prayed that ad-interim protection granted by this Court on 11.04.2018 may be continued for a period of six weeks and the Petitioners

would prefer their second revision within four weeks from today.

4 Shri Korhalkar opposes the said request.

5 In view of the above, this Writ Petition stands disposed off with liberty to the Petitioners to avail of a statutory remedy of filing a second revision. In the event, such a revision is filed within four weeks from today, the time spent by the Petitioners in this Court from 24.01.2018 until four weeks from today, would be considered as a good ground for condonation of delay. The ad-interim protection granted by this Court on 11.04.2018 would be continued for a period of six weeks from today.

6 Needless to state, if the Petitioners pray for an ad-interim protection or interim protection, the competent authority would decide such an application on it's own merits without being influenced by the ad-interim protection granted by this Court on 11.04.2018. All contentions of the litigating sides are kept open.