

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

WRIT PETITION NO.1572 OF 2019

RAOSAHEB MOHINIRAJ THORAT
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for the Petitioner : Shri S.D. Jayabhar h/f Shri Jayabhar
Dattatraya R.
AGP for the Respondents/ State : Shri N.T.Bhagat
...

CORAM: RAVINDRA V. GHUGE, J.

DATE :- 04th December, 2019

Per Court:

1 The learned advocate for the petitioner seeks an adjournment. Though an order of 14.12.2017 is challenged on 02.02.2018 and the matter is circulated for the first time on 18.10.2019, the petitioner sought an adjournment before this Court and again is seeking adjournment today.

2 I find that the petitioner has a remedy available in view of the judgment delivered by the Honourable Supreme Court in the matter of *Gurudassing Nawoosing Panjwani vs. State of Maharashtra and others, 2016 (2) SCC 213 : 2015 (6) Mh.L.J. 915 (SC)*. So also, in view of the recent verdict of the Honourable Supreme Court in the matters of *Virudhunagar Hindu Nadargal Dharma Paribalana Sabai vs. Tuticorin*

Educational Society, 2019 SCC Online SC 1292 (Civil Appeal No.7764/2019 decided on 03.10.2019) and Genpact India Pvt. Ltd. vs. Deputy Commissioner of Income Tax, 2019 SCC Online SC 1500 (Civil Appeal No.8945/2019 decided on 22.11.2019), the jurisdiction of the High Court is barred and the writ petition should not be entertained, in the face of the statutory remedy.

3 In view of the above, this Writ Petition is disposed off with liberty to the petitioner to avail of the statutory remedy. Time spent by the petitioner in this Court from 02.02.2018 till the passing of this order, shall be a ground for seeking condonation of delay.

kps

(RAVINDRA V. GHUGE, J.)