

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

WRIT PETITION NO. 7383 OF 2019

M/s B. M. Sons Limited through
Partner and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Kshitij H. Surve, Advocate for Petitioners.
Shri S. M. Ganachari, A.G.P. for Respondent Nos. 1 and 2.
Shri Arvind K. Tiwari, Advocate for the Respondent No. 3.

**CORAM : S. V. GANGAPURWALA AND
MANGESH S. PATIL, JJ.**

DATE : 19TH JUNE, 2019.

FINAL ORDER :

. Mr. Tiwari, the learned advocate for the respondent No. 3 raises a preliminary objection that the petitioners have remedy of appeal against the impugned order before the Commissioner, State Excise, Maharashtra State.

2. In the light of that, though Mr. Surve, the learned counsel for petitioners sought to canvass submissions on merits of the matter, we are not inclined to consider the same. The writ petition is disposed of with liberty to petitioners to avail alternate remedy. All contentions are kept open. No costs.

[MANGESH S. PATIL, J.]

[S. V. GANGAPURWALA, J.]