

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

969 WRIT PETITION NO.9239 OF 2012

VIJAY GANPAT SHENDGE
THR GPA VITTHAL SADABA WAGHMARE
VERSUS
PANDHARI VITHAL GAVATE AND ORS

.....
Advocate for Petitioner : Mr. G.G. Suryawanshi .
AGP for Respondents 4 to 6: Mr. K.B. Jadhavar
Advocate for Respondents 1 to 3: Mr. M.P. Kale
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CORAM : V. K. JADHAV, J.
DATED : 6th DECEMBER, 2019

PER COURT:-

1. Heard both sides.
2. Learned counsel for respondent Nos. 1 to 3 so also learned A.G.P. raised preliminary objection to the effect that alternate efficacious remedy is available to the petitioner. Learned A.G.P. to substantiate his contention, placed reliance on the judgment of Supreme Court in the case of ***Gurudassing Nawoosing Panjwani vs. State of Maharashtra and others, reported in 2015 (6) Mh.L.J. 915.*** Learned counsel appearing for the petitioner has not disputed this legal position.
3. In view of the same, writ petition is disposed of with liberty to the petitioner to exhaust alternate efficacious remedy so available in law. In case the remedy so available is exhausted within four weeks

from today, the interim relief granted in favour of the petitioner shall remain in force till the petitioner exhausts the said remedy.

4. Furthermore, the time spent in pursuing this writ petition shall also be considered by the said authority, if remedy is exhausted within the said period of four weeks.

5. Writ petition is accordingly disposed of.

(V. K. JADHAV, J.)

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