

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

WRIT PETITION NO.13176 OF 2019

ATUL SHIVAJI WADITAKE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for the Petitioners : Shri H. P. Jadhav h/f.
Shri G. B. Kadlag
AGP for Respondent Nos. 1 and 2 : Shri S. R. Yadav -Lonikar
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CORAM : RAVINDRA V. GHUGE, J.

DATED : 18th OCTOBER, 2019.

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PER COURT :

1. The petitioners are aggrieved by the order dated 13/09/2019 passed by the District Collector, Ahmednagar. The learned AGP submits that the order has been passed under Section 14(1)(j-3) of the Maharashtra Village Panchayat Act and the petitioners have a statutory remedy before the Additional Divisional Commissioner, Nashik under Section 16.

2. The Honourable Apex Court has, in a recent judgment, in the matter of *Virudhunagar Hindu Nadargal Dharma Paribalana Sabai & Ors. Vs. Tuticorin*

Educational Society & Ors. in 2019 SCC online SC 1292, concluded that the availability of a statutory remedy is a “NEAR TOTAL BAR” for the High Court to entertain a petition under its supervisory jurisdiction.

3. In view of the above, this petition is disposed off with liberty to the petitioners to avail of the remedy. The time spent by the petitioners in this Court from 25/09/2019 till the passing of this order shall be a ground for condonation of delay, if any.

(RAVINDRA V. GHUGE, J.)

shp/-