

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
960 WRIT PETITION NO.13464 OF 2019**

BHAUSAHEB MURLIDHAR GONDKAR AND ANOTHER
..PETITIONERS

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...
Mr. Kiran M. Nagarkar, Advocate for the
Petitioners.

Mr. S. B. Pulkundwar, AGP for Respondents-State.

...

**CORAM : S. V. GANGAPURWALA &
AVINASH G. GHAROTE, JJ.**

DATED : 06th NOVEMBER, 2019.

PER COURT:-

1. The petition is misconceived. The petitioners have already filed Civil Suit seeking injunction against the respondents. The temporary injunction is granted in favour of petitioners. The petitioners have also filed an application under Order 39 Rule 2A of Code of Civil Procedure. In such scenario, the present writ petition is not maintainable. The petitioners are at liberty to prosecute their remedy before the Civil Court.

2. With the aforesaid observations, writ petition is dismissed with costs.

**(AVINASH G. GHAROTE)
JUDGE**

**(S. V. GANGAPURWALA)
JUDGE**