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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.3391 OF 2018

Sanjay Suresh Gaikwad & Ors.

..Petitioners

Vs

Secretary Slum Rehabilitation Authority & Ors

..Respondents

Mr. Dinesh Kadam for the Petitioners.

Mr.Swapnil Waradkar a/w Rhishikesh Bidkar I/b Hariani &Co., for the Respondent No.5.

Mr. P.P. Pujari, AGP for the State.

CORAM : A.S.GADKARI, J.

DATE : 17th July 2019.

P.C.:

1] At the outset, the learned counsel for the respondent No.5 raised a preliminary objection about the maintainability of the present petition and submitted that, the petitioners are having alternate remedy at their disposal by way of an appeal before the Grievance Redressal Forum constituted under the Slum Rehabilitation Act and without availing the said remedy, the petitioners have approached this Court directly.

2] The learned counsel for the petitioners disputes the same and submitted that, on the date of filing of the present writ petition, the said alternate remedy was not available.

The learned counsel for the respondent No.5 submitted that, by an amendment dated 19th June 2012, the Grievance Redressal Forum has been constituted under the said Act and therefore there is no substance in the contention of the petitioners.

3] In view thereof, the learned counsel for the petitioners seeks leave to withdraw the present petition with liberty to file a substantive appeal before the aforestated Forum against the impugned Order.

Leave and liberty granted.

4] Petition is disposed off as withdrawn with aforesaid liberty.

5] Needless to mention that, this Court has not adjudicated upon the issues involved in the present petition and is disposed off only on the ground of availability of the alternate remedy.

(A.S.GADKARI, J.)