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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION No. 13873 OF 2018

Vitthal Dhondiba Markad … Petitioner
Vs.
The State of Maharashtra & Ors. … Respondents

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Mr. K. D. Bhosle, for the Petitioner.

Mr. A. I. Patel, Additional Govt. Pleader a/w R. P. Kadam, AGP for the Respondent.

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CORAM : INDRAJIT MAHANTY, &
N. B. SURYAWANSHI, JJ.

DATE : OCTOBER 1, 2019

PC :

1. Heard the learned counsel for the Petitioner as well as the learned Additional Govt. Pleader for the Respondent-State. This petition came to be filed challenging various orders passed by the various authorities from time to time, listed in prayer clause (a) of the petition. The learned counsel for the Petitioner fairly submitted that purported sale-deed executed in favour of Respondent No. 6 is the subject matter of challenge by the Petitioner in Special Civil Suit No. 22 of 2012, filed in the Court of Civil Judge, Sr. Division, Baramati against Respondent No. 6.

2. The learned counsel for the Petitioner submits that various other revenue authorities have passed various orders from time to time,

which he sought to challenge in the present petition. We also make it clear while exercising writ jurisdiction this petition cannot be entertained, since the Petitioner has already exhausted the statutory remedy by filing the special civil suit in the Court of Civil Judge, Senior Division, Baramati and application for interim order is already listed in the said Court, he is free to avail of the said remedy. We find no merit in this petition, and the writ petition is therefore disposed of, granting liberty recorded hereinabove. All contentions of the Petitioner, on merits, are kept open for consideration in appropriate proceeding by the appropriate authorities.

Sd/-
[N. B. SURYAWANSHI, J.]

Sd/-
[INDRAJIT MAHANTY, J.]

Vinayak Halemath