

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.2849 OF 2019

(Shri Dhananjay s/o Samadhanrao Lande and others vs. State of Maharashtra and others)

Office Notes, Office Memoranda of
Coram, appearances, Court's orders Court's or Judge's orders
or directions and Registrar's orders.

Shri S.P. Bhandarkar, Advocate for petitioners.

Shri N.R. Patil, Assistant Government Pleader for
respondent nos.1 to 3.

CORAM : R.K. DESHPANDE AND
S.M. MODAK, JJ.

DATED : APRIL 5, 2019

The petitioners have placed reliance upon the decision of this Court rendered on 19/12/2017 in Writ Petition No.1105/2017 in support of their claim that the action of seizure of vehicle was contrary to the decision of this Court. It is urged that though there is a statutory remedy of appeal under Section 247 of the Maharashtra Land Revenue Code, the matter is covered by the decision of this Court and in the absence of disputed questions of facts, the petition can be entertained.

The very purpose of delivering judgment on the position of law on 19/12/2017 in Writ Petition No.1105/2017 is that the Authorities concerned should be guided by the decision delivered by this Court. Hence, it is open for the petitioners to avail the alternate remedy and place reliance upon the said judgment. The

writ petition is dismissed. All questions are kept open.

If appeal is preferred by the petitioners, the same shall be decided as expeditiously as possible.

JUDGE

JUDGE

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