

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.3508 OF 2020
(Manik s/o Trimbak Dhengale and others Vs. Shriram s/o Sopan
Dhengale, through LR's)

Mr.S.K.Tambe, AGP for respondent Nos.2 to 5.

(CORAM : Ravindra V.Ghuge, J.)

DATE : 09/03/2020

PER COURT :

1. None for the petitioners.
2. The learned AGP submits that the order passed by the Additional Divisional Commissioner in the first revision u/s 257 of the M.L.R. Code dated 02/05/2019, has been challenged. A statutory remedy is available of preferring a second revision in the light of the judgment of the Hon'ble Apex Court in the matter of Gurudassing Nawoosing Panjwani vs. State of Maharashtra and others [2016 (2) SCC 213].
3. The Hon'ble Apex Court has recently concluded in the matters of Virudhunagar Hindu Nadargal Dharma Paribalana Sabai Vs. Tuticorin Educational Society [2019(9) SCC 538] (Civil Appeal

No.7764/209 decided on 03/10/2019) and Genpact India Pvt.Ltd., Vs. Deputy Commissioner of Income Tax [2019(16) Scale 667 : 2019 SCC Online SC 1500 (Civil Appeal No.8945/2019 decided on 22/11/2019)] that the supervisory jurisdiction of this Court under Article 227 would suffer a “Near Total Bar” and the litigating parties should be relegated to the statutory remedy by disposing off the writ petition.

4. In view of the above, this petition is disposed off with liberty to the petitioners to avail of the statutory remedy. If the second revision is filed on or before 15/04/2020, the time spent by the petitioners in this Court from 13/01/2020 till 15/04/2020 shall be a good ground for condonation of delay, if any.

(Ravindra V.Ghuge, J.)