

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1049 WRIT PETITION NO.12316 OF 2017

SYED KHALILUDDIN DIED THROUGH LRS KHAJA
MOINUDDIN AND OTHERS
VERSUS
STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioners : Mr. Narwadkar Mrigesh D.
AGP for Respondent-State : Mr. K.B.Jadhavar.
Advocate for Respondent No.5 : Mr. Choudhary S.S.

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CORAM : V. K. JADHAV, J.
DATE : 13.03.2020

PER COURT :-

1. Heard the learned counsel for the petitioners.
2. I have gone through the impugned order passed by the Additional Commissioner, Aurangabad Division. In terms of the ratio laid down by the Supreme Court in case of *Gurudassing Nawoosing Panjwani Vs. State of Maharashtra and others ; [2015(6) Mh.L.J., 915]*, I am of the opinion that the alternate efficacious remedy is available to the petitioner.
3. In view of the same, the Writ Petition is disposed off with a liberty to the petitioners to avail the alternate efficacious

remedy, in accordance with law. In case, if the alternate remedy is availed within a period of three (3) weeks, then the authority before whom the alternate remedy is availed shall consider the time spent in pursuing this Writ Petition to condone the delay caused in filing the appeal or revision, as the case may be. The petitioners would be at liberty to file an application before the said authority about the expeditious hearing of the appeal / revision and upon filing of such application, said authority may consider it.

4. Writ Petition is accordingly disposed off.

(V. K. JADHAV, J.)

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vmk/-