

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

WRIT PETITION NO.5371 OF 2019

(Ashutosh Vishnu Kankal and another vs. Collector, Washim and others)

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

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Shri R.S. Kurekar, Advocate for petitioners.

Shri N.R. Patil, Assistant Government Pleader for  
respondent nos.1 and 2.

Shri S.R. Deshpande, Advocate for respondent no.3.

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CORAM : SUNIL B. SHUKRE AND  
AVINASH G. GHAROTE, JJ.

DATED : MARCH 11, 2020

Heard Shri Kurekar, learned Counsel for  
petitioners, Shri Patil, learned Assistant Government  
Pleader for respondent nos.1 and 2, and Shri  
Deshpande, learned Counsel for respondent no.3.

2)            We find that for redressal of grievance  
raised in this petition, an alternate remedy is  
available under Section 3-G(5) of the National  
Highways Act, 1956.

3)            Shri Kurekar, learned Counsel for the  
petitioners, seeks leave of the Court to withdraw the  
petition with liberty to avail of the alternate remedy.  
He also prays for continuation of interim relief  
granted by this Court till the petitioners resort to

alternate remedy.

4) Leave with liberty as prayed for, while keeping all questions including question as regards limitation open, is granted. Interim relief is continued for a further period of two weeks or till the application under Section 3-G(5) of the National Highways Act, 1956 is filed, whichever is earlier.

5) The petition is disposed of accordingly.  
No costs.

JUDGE

JUDGE

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