

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.3552 OF 2018

BALASAHEB NARSUBA DEVKATE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Ms. Priya Gondhalekar holding for
Senior Advocate Mr. Rajendra S. Deshmukh
AGP for Respondents no.1 to 4 - State : Mr. A. A. Jagatkar
Advocate for Respondent no.5 : Mr. S. S. Panale

...

AND

WRIT PETITION NO. 2330 OF 2018

EKNATH VITTHAL SHIRSATH AND ANOTHER
VERSUS
DIVISIONAL JOINT REGISTRAR AND OTHERS

...

Advocate for Petitioners : Mr. Ruchir Wani h/f. Mr. Nikhil S. Jaju
AGP for Respondents No. 1 and 2 – State : Mr. A. A Jagatkar
Advocate for Respondents No. 3 and 4 : Mr. S. R. Andhale

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 13-12-2021

PER COURT :-

Mr. S. S. Panale, learned Advocate for respondent no. 5 raised a preliminary objection, as to maintainability of the present petition by relying on the order passed by the Co-ordinate Bench of this Court, in Writ petition no. 5362 of 2017 (*Vishwanath Marotrao Ganjre Versus Divisional Joint Registrar and others*), wherein in similar facts it is held that, an alternate remedy of filing revision under Section 9 of the Maharashtra Money-Lending (Regulation) Act, 2014, is available to the petitioners.

The learned Advocates appearing for the petitioners in both petitions, therefore, seek permission to withdraw the writ petitions with liberty to avail the alternate remedy.

3. Writ Petitions are disposed of as withdrawn with liberty as prayed for.

4. In both the matters, the order of *status-quo* is operating in favour of the petitioners. The same shall continue up to 11th January, 2022.

5. The authority dealing with the Revision to be filed by the petitioners, may consider the time spent by the petitioners in prosecuting the proceedings in this Court.

(NITIN B. SURYAWANSHI)
JUDGE

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