

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.302 OF 2021

Shivaji s/o Vishwanath Thorat & another Petitioners

Versus

The State of Maharashtra & others Respondents

Mr. N.B.Narwade, advocate for the Petitioners.

Mr. R.D.Sanap, AGP for Respondents No.1 to 3.

CORAM : V.K.JADHAV, J.

DATE : 23rd February, 2021.

PC :

1 The learned AGP has raised preliminary objection that an alternate efficacious remedy is available to the petitioner by filing revision/appeal before the appropriate forum. The learned AGP, in order to substantiate his contention, placed reliance on the order dated 24th November, 2017, passed by the Division Bench of this Court in **Pramod Ramchandra Kulkarni Vs. The State of Maharashtra & another**, wherein same view has been expressed.

2 The learned Counsel for the petitioners has not disputed this legal position.

3 Learned Counsel for the petitioners, on instructions, seeks leave to withdraw this petition with liberty to the petitioners to avail of alternate remedy so available in law.

4 Writ Petition is disposed of as withdrawn with liberty to the petitioners to avail of alternate remedy in accordance with law. Upon availing such alternate remedy by way of filing revision/appeal, it is for the appellate/revisional authority to consider the time spent in pursuing instant writ petition for condonation of delay, if any, caused in availing such alternate remedy.

(V.K.JADHAV)
JUDGE

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