

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**WRIT PETITION NO.1170 OF 2019
WITH
CIVIL APPLICATION NO. 5282 OF 2019**

SHAMSHODDIN MAJIDKHAN
VERSUS
GULAM RASOOL PAPAMIYA SHAIKH AND OTHERS

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Advocate for Petitioner : Mr. A. P. Bhandari Sancheti
AGP for Respondents/State: Mr. S. W. Munde
Advocate for Respondent Nos.2, 3A to 3E: Mr. R. L. Kute
Advocate for Respondent No.1: Mr. Dr. Gulam Rasool Papamiya
Shaikh (Party in person)

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 7th September, 2022

PER COURT :-

1. The learned Advocate for the respondents and the learned Assistant Government Pleader raised the issue of maintainability of the petition in view of alternate efficacious remedy available to the petitioner to file second revision/appeal before the State Government.
2. The learned Advocate for the petitioner since was placed in this situation sought instructions from his client, and he makes a statement that the petitioner is intending to avail alternate remedy. The writ petition is, therefore, disposed of as withdrawn, with liberty to file second revision/appeal.

3. Taking into consideration the fact that interim relief is operating in favour of petitioner since 25-01-2019, the same is continued for further period of eight weeks from today.

4. Pendency of the writ petition shall be taken into consideration at the time of deciding delay condonation in revision/appeal.

5. Considering the fact that the matter is of the year 2019, hearing of revision/appeal is expedited and it shall be decided within a period of three months from the date of filing of revision/appeal.

[NITIN B. SURYAWANSHI, J.]

Sameer