

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4767 OF 2022

Abhay Goyal & Ors. ... **Petitioners**
Versus
The State of Maharashtra & Ors. ... **Respondents**

Mr. Parth Singh i/b. Mr. Kuldeep Sanghai, Advocate for the
Petitioners.

Mr. R. S. Pawar, AGP for the Respondent No.1/State.

Mr. Karl Tamboly a/w. Mr. Ativ Patel Adv. Viloma Shah, Mr.
Darshit Dave and Mr. Harshad R. Vyas, Advocate for the
Respondent Nos.2 to 4.

**CORAM: S.V. GANGAPURWALA &
M. G. SEWLIKAR, JJ.**

DATED : MAY 5, 2022

P.C.

1. We have heard the learned Counsel for the petitioners.
The grievance of the petitioners is that the Revenue
Authority are not implementing the recovery certificate
against the respondent No.2.

2. The learned Counsel for respondent Nos.2 to 4 submits
that the petitioners have already filed execution application
before the National Consumer Disputes Redressal
Commission, New Delhi and the Commission has taken
cognizance of the petitioners' execution proceedings and on
26th April 2022 has issued fresh notice to the concerned
Authority at Mumbai for attachment of the property
belonging to the respondent No.2.

3. The petitioners, it appears that, has already prosecuted the execution proceedings before the Commission. As the petitioners have already availed the remedy before the Commission, it would not be appropriate to entertain the present petition. The petitioners are at liberty to prosecute the remedy before the Commission.

4. With the aforesaid observations, writ petition is disposed of. No costs.

(M. G. SEWLIKAR, J.)

(S.V. GANGAPURWALA, J.)

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