

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4250 OF 2022

Captain Haresh Gaglani (Retd.) ... **Petitioner**
Versus
The Commissioner of State
Excise & Anr. ... **Respondents**

Mr. Prashant G. Pandey, Advocate for the Petitioner.

Smt. M. S. Bane, AGP for the Respondent No.1/State.

Mr. Svishal Thadhani a/w. Ms. Snehal Gambhir, Advocate
for the Respondent No.2.

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

DATED : APRIL 26, 2022

P.C.

1. The learned AGP raises an objection that the petitioner has alternate remedy of filing the revision. The learned Counsel for the petitioner submits that though the alternate remedy is available to the petitioner, as the respondent No.2 is an influential person, the present petitioner may not get relief.

2. The petitioner cannot proceed with the said apprehension. Exercise of the revisional jurisdiction would be the exercise of quasi-judicial authority and not the administrative one.

3. The petitioner may avail the alternate remedy as may be permissible in law and all contentions of the parties are kept open.

4. The Authority while considering the revision shall consider the time spent in prosecuting the present writ petition and shall endeavour to decide it expeditiously

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

(M. G. SEWLIKAR, J.)

(S.V. GANGAPURWALA, J.)

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