

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

933 WRIT PETITION NO.3675 OF 2023

**PITAMBAR SHRAWAN PATIL AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA
THROUGH SECRETARY AND OTHERS**

...

Advocate for Petitioners : Mr. M.D. Gitte h./f.
Ms. Vaishali B. Suryawanshi
AGP for Respondent – State : Mr. S.B. Pulkundwar

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**CORAM : NITIN W. SAMBRE AND
S.G. CHAPALGAONKAR, JJ.**

DATE : 31-03-2023

PER COURT :

1. The contention of petitioners is that they need not avail alternate remedy in the matter in view of the decision of this Court in Writ Petition No.2932 of 2022, as the issue is squarely covered by the said order.

2. Learned AGP Mr. Pulkundwar objects to the aforesaid contention, as according to him, against the order impugned in the present petition, the revision lies before the Divisional Commissioner.

3. In view of the availability of the alternate remedy, we hereby permit petitioners to avail the same by approaching before the Divisional Commissioner. The time spent in prosecuting present petition and also any other reasons furnished by petitioner in support

of prayer for condonation of delay, be considered particularly for granting such prayer.

4. We direct the Divisional Commissioner to take steps on the said revision, if so preferred by petitioners, keeping in mind the order of the Division Bench of this Court as referred to above.

5. Writ petition accordingly stands disposed of.

(S.G. CHAPALGAONKAR, J.)

(NITIN W. SAMBRE , J.)

GGP