

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

914 WRIT PETITION NO.13524 OF 2023

SAVITABEN EDUCATION SOCIETY THROUGH ITS PRESIDENT & ANOTHER
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHERS

...
Advocate for Petitioners : Mr. Kedar Shrimant Ravsaheb
AGP for Respondents/State : Mr. V.M. Kagne
Advocate for R/2 & 3 : Mr. S.S. Tope
...

**CORAM : RAVINDRA V. GHUGE &
Y.G. KHOBRADE, JJ.**
DATE : 27th October, 2023

PC. :-

1. Judgment delivered by the Hon'ble Supreme Court in **Parivar Seva Sanstha V/s. Ahmednagar Municipal Corporation; 2022 DGLS (SC) 1542** and the judgment delivered by this Court at the Principal Seat dated 10.08.2023 in **Writ Petition No.4309/2023 (Kokuyo Camlin Limited V/s. State of Maharashtra & Ors.)**, are cited which indicate the law that the statutory remedy under Section 406 of the Municipal Corporation Act 1949 has to be availed.
2. The learned advocate for the Petitioners submits that the Petitioners would avail of the said remedy.

3. In view of the above, **this petition is disposed off** as withdrawn. The time spent by the Petitioners in this Court from 25.10.2023 till today, shall be a ground for condonation of delay, if the issue of limitation arises. All contentions are kept open.

[Y.G. KHOBRADE, J.]

[RAVINDRA V. GHUGE, J.]