

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

954 WRIT PETITION NO. 14422 OF 2023

VINAYKUMAR BHIKAMCHAND JAIN

....Petitioner

VERSUS

BHIKAMCHAND RAGHUNATHMAL JAIN

.....Respondent

.....

Advocate for Petitioner : Mr. Mr. Patil B.K.

AGP for Respondents/State : Mr. S.A.Gaikwad

Advocate for Respondent No. 1 : Mr. Mukul S.Kulkarni

...

CORAM : S.G. CHAPALGAONKAR, J.

DATE : 19.12.2023.

PER COURT :

1. Both the learned Advocates appearing for the respective parties submit that in view of the decision of the Divisional Bench of this Court in Writ Petition No. 36 of 2023, the petitioner has a remedy to file an appeal before the learned Collector under Section 16 (1) of the Act.

2. In view of the aforesaid development, the Writ Petition is disposed with liberty to the petitioner to file an appeal before the Competent Authority.

3. It is made clear that time consumed in prosecuting the Writ Petition shall be excluded while counting the limitation for filing of the appeal.

(S.G. CHAPALGAONKAR)
JUDGE

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