



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

WRIT PETITION NO. 802 OF 2024

**JEEVAN VINAYAK JAHAGIRDAR
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR
AND OTHERS**

....
Mr. K. B. Borde, Advocate for Petitioner
Mr. S. K. Tambe, AGP for Respondent – State
....

**CORAM : RAVINDRA V. GHUGE AND
Y. G. KHOBRAGADE, JJ.**

DATE : 19.01.2024

PER COURT :-

1. We are not entertaining this Petition which is directly filed, when a statutory efficacious remedy is available. The learned Advocate for the Petitioner submits that the auctioned amount of Rs.2,50,000/- would be deposited with the Tahsildar, Jamner, District Jalgaon, by 5.00 p.m. today vide a Demand Draft.

2. The learned AGP submits that if such Demand Draft is deposited by 5.00 p.m. with the Tahsildar, Jamner, though the

auction will be conducted today, it will be made known to the bidders that the auction would not be finalized.

3. In view of the above statements, **this Petition is disposed off.**

4. Since the Petitioner desires to approach the appropriate authority by way of a statutory appeal/revision, the time spent by the Petitioner in this Court from 17.01.2024 till today (three days), shall be a ground to be taken for condonation of delay.

5. The contention of the Petitioner that Rs. 2,50,000/- includes an excess amount, we leave the Petitioner at liberty to seek refund of that excess amount, over and above Rs.2,33,840/-, if such claim is maintainable.

[Y. G. KHOBRADE, J.]

[RAVINDRA V. GHUGE, J.]

SMS