

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 15690 OF 2024 .

Rajaram N. Jalla

...Petitioner.

Versus

The State of Maharashtra and Others.

...Respondents.

Ms. Veena Thadhani, Ms. Rutuja Gaikwad and Ms. Bharti Nyaynirgune i/b Mr. Santosh Patil for Petitioner.

Mr. Ketan Joshi , 'B' Panel Counsel for Respondent Nos. 1 to 4.

Coram : Sharmila U. Deshmukh, J.

Date : November 27, 2024.

P. C. :

1. Preliminary objection has been raised by the learned counsel for the Respondent-State that under Section 137 of the Maharashtra Prohibition Act, 1949, there is an alternate remedy of appeal to the Collector.
2. Learned counsel appearing for the petitioner would submit that the issue in the present case is covered by the decision of this Court.
3. Even if the issue is covered by the decision of this Court, the remedy of the appeal cannot be bypassed by filing a petition directly before this Court.
4. In view of the alternate remedy of appeal being available, I am not inclined to consider this petition under Article 227 of the Constitution of India. While deciding the aspect of limitation, the

pendency of the present petition may be taken into consideration.

[Sharmila U. Deshmukh, J.]