



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

42 WRIT PETITION NO. 11388 OF 2023

Bharati Jitendra Kolhe

VERSUS

Janabai Digamber Kolhe And Another

...

Mr. Mohammad Naseer A. Shaikh, Advocate for the Petitioner.

Mr. P. D. Patil, AGP for Respondent-State.

Mr .D. R. Markad for Respondent No.1.

CORAM : KISHORE C. SANT, J.

DATE : 27th JANUARY 2025

PC :-

1. Heard the learned Advocates for the parties.
2. This writ petition is filed challenging the order dated 12.01.2021 passed by the Competent Authority under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.
3. At the outset, the learned Advocate for the Respondent raises the issue of maintainability. He submits that the remedy lies before the learned Collector under Section 16 of the said Act. Instead of challenging the order before the Appellate Authority, the petitioner has

directly approached this Court.

4. Considering above, this Court finds that remedy is available and no case is made out taking cognizance by this Court, petition needs to be disposed off.

5. The petition stands disposed off as there is appropriate remedy available under the said Act.

6. Petitioner is at liberty to approach proper forum.

7. While considering the question of condonation of delay, the authority shall consider time spent before this Court.

[KISHORE C. SANT, J.]