



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.7323 OF 2026**

Azim Shakoor Patel ... Petitioner
versus
Chief Executive Officer, Pune and Anr. ... Respondents

Mr. Jayendra Khairnar with Mr. Vikas Shivarkar, for Petitioner.
Mr. Sandeep Goyal i/by Mulla and Mulla and Craigie Blunt and Caroe, for Respondents.

CORAM: N.J.JAMADAR, J.

DATE : 15 JUNE 2026

P.C.

1. Heard the learned Counsel for the parties.
2. The Petitioner has already assailed the notice under Section 239 of the Cantonments Act, 2006 by preferring an appeal before the Principal Director. In view of the provisions contained in Section 340 of the Act, 2006, any person aggrieved by any order described in the third column of Schedule V has a remedy of appeal before the authority mentioned in the fourth column of the said Schedule. A notice under Section 239 is enumerated at Sr. No.13 with Schedule V. Section 344 of the Act, 2006 gives finality to the orders passed by the Appellate Authority.
3. In the impugned order, it is recorded that the Petitioner has already invoked the appellate remedy. In these circumstances, when the Petitioner has already invoked appellate remedy provided under the Cantonments Act,

2006, the Courts below were prima facie within their rights to decline to grant ad-interim relief.

4. Thus, at this juncture, this court does not find any justifiable reason to entertain the Petition. However, since the Petitioner has already preferred an appeal before the Appellate Authority under Section 340 of the Act, 2006, the Appellate Authority is directed to decide the appeal as expeditiously as possible, and, if it is not possible to hear and decide the appeal, consider the prayer to grant ad-interim stay to the execution and operation of the notice under Section 239 and the consequential notice/order under the Cantonments Act, 2006.

5. The Writ Petition stands disposed.

(N.J.JAMADAR, J.)