

WPMS NO. 617/ 2009

**Hon'ble Sudhanshu Dhulia, J.**

Mr. Birendra S. Adhikari, learned counsel for the petitioners.

Ms. Beena Pandey, Advocate has accepted notices on behalf of respondent nos. 1 to 3.

Mr. D. K. Sharma, Advocate and Sanjay Bhatt, Advocate has accepted notices on behalf of respondent nos. 4 and 5.

Sri D. K. Sharma, Advocate has pointed out before this Court that the petitioners have an alternative remedy to file an appeal before respondent no. 3.

Learned counsel for the petitioners also states that such appeal has been filed before respondent no. 3, which is still pending.

Admittedly two remedies cannot be made available for the petitioner to avail the same.

In view thereof, this Court finds no interference in the writ petition. The writ petition is hereby dismissed in limine. No order as the costs.

(Sudhanshu Dhulia, J.)

Dated: 30.04.2009  
Virendra