

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.9481 of 2015

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ORDER:

Heard.

The petitioner complains that respondents 3 and 4 are interfering with the civil dispute, which is subject matter of suit in O.S.No.52 of 2014 pending between the petitioner and respondents 5 to 7 before the Junior Civil Judge, Alampur. The petitioner states that he has already been protected by order of temporary injunction in I.A.No.136 of 2014, dated 18-10-2014 passed in the said suit. Alleging that respondents 3 and 4, at the instance of respondents 5 to 7, are interfering with the civil dispute pending between the petitioner and respondents 5 to 7, the present writ petition is filed.

Learned Government Pleader has received instructions, which state that the 7th respondent lodged a complaint on 24-02-2015 against the petitioner complaining of obstruction while harvesting crop by respondents 5 to 7. Basing on the said complaint, a case in Cr.No.26 of 2015 was registered by the 3rd respondent on 24-02-2015 and investigation is taken up and that the petitioner is also given notice, dated 10-03-2015 to produce relevant documents for investigation. The allegation of the petitioner that the police are interfering with the civil dispute is denied. The instructions merely state that police are investigating the aforesaid crime and they would complete the investigation expeditiously and file appropriate report before the jurisdictional court. It is also stated that a request is already made before the Tahsildar for producing relevant documents for the purpose of investigation and the documents are yet to be received. Along with the instructions, copy of FIR and case diary containing statements of complainant and witnesses are also produced.

In view of that, therefore, it is clear that the respondent police have not interfered with the civil dispute but they are only investigating the aforesaid crime.

Learned Government Pleader has given a copy of FIR to the learned counsel

for the petitioner.

Hence, the petitioner is at liberty to take appropriate steps in accordance with law. However, no relief can be granted in this writ petition in the circumstances mentioned above.

Accordingly, the writ petition is dismissed. No order as to costs.

The miscellaneous petitions, if any, pending in this writ petition shall stand closed.

VILAS V.AFZULPURKAR, J

Date: 15-04-2015

Prv

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