

THE HONOURABLE MR JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.4994 of 2015

ORDER

Heard learned counsel for the petitioner and learned Government Pleader for Home.

2. The petitioner herein alleges that while he along with his father is carrying on business in a shop bearing D.No.30-5-3 in Bangaruvari Thota Street, at the instance of the owners of the premises, the third respondent is stated to have called the petitioner to the police station, harassed and threatened him to vacate the premises. Basing on that, the petitioner's father is stated to have filed a complaint with the Deputy Superintendent of Police on 12.02.2015 and the present writ petition is filed for a direction against the third respondent in not taking appropriate action on the said complaint.

3. The instructions of learned Government Pleader for Home show that on the complaint dated 08.02.2015, made by the owners of the shop in which the petitioner is carrying on business as tenant, a petty case was registered against the father of the petitioner. It is stated that the father of the petitioner refused to attend the police station. He even refused to take notice under Section 41-A Cr.P.C., which is sought to be served on 09.02.2015. Thereafter, the third respondent has filed the charge sheet, which is now taken cognizance of, as STC No.68 of 2015 on 20.02.2015 and is pending before the Special Judicial II Class Magistrate,

Palakol. The third respondent, except booking the said case, has not taken any action. It is also stated that the said case was booked against the father of the petitioner and the petitioner is not at all required in the above case and that there was no interference with the business as alleged. The other allegations made by the petitioner in the complaint dated 12.02.2015 are also denied.

4. Evidently, a petty case is pending against the father of the petitioner and so far as the petitioner is concerned, the third respondent states that his presence is not at all required as no case is pending against him. In view of that, no further orders are necessary as the police have already taken appropriate action in registering the STC as aforesaid.

5. The Writ Petition is, accordingly, dismissed. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand dismissed.

VILAS V. AFZULPURKAR, J

17th March, 2015

sj