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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 2594 OF 2015

Office Notes, Office
Memoranda of appearances,
Court's orders or directions &
Registrar's orders.

Court's or Judge's orders

Mr. S. C. Halli for petitioner.
Mr. K. V. Saste, APP for State.
Mr. G. S. Bhat for respondent no.5.

**CORAM : NARESH H. PATIL AND
A. M. BADAR, JJ.**

May 05, 2016.

P.C. :

Heard. The petitioner had filed Civil Suit i.e. Short Cause Suit No. 3659 of 2005. The Civil Court has decided the issue of possession. The application filed by the petitioner under Section 145 of Cr. P. C. was rejected by the Metropolitan Magistrate, 53rd Court, Mulund, Mumbai by order dated 12/11/2014 below Exh. 1 in C.C. No. 170/N/2012. Learned counsel appearing for the petitioner submits that the respondent had disturbed possession of the petitioner and had broken wall of the gallas.

We have perused the material and considered the submissions. The relevant issues were dealt with by the Civil Court. It is alleged that the order of the Civil Court was violated. In case the petitioner desires to initiate criminal proceeding, then the petitioner may resort to alternate remedy as prescribed under law.

Without expressing any opinion on merits of the matter, petition is disposed of.

(A. M. BADAR, J.)

(NARESH H. PATIL, J.)