

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 2779 OF 2013

Chunilal Maniram Uppal. ..Petitioner.

Versus

State of Maharashtra & Others. ..Respondents.

Mr. Prasad Pathare i/b R. D. Bindra for the Petitioner.

Mr. J. P. Yagnik, learned APP for the State.

Mr. B. J. Joshi for the Applicant in Crim. Application No.119/2014.

Coram : RANJIT MORE &
V. L. ACHLIYA, JJ.

Date : **February 16, 2016.**

P. C. :

1. Heard learned Counsel appearing for the Petitioner.

The principal relief sought in the petition is as under :

“(a) That this Hon'ble Court be pleased to issue appropriate directions, order, writ and/or writ in the nature of mandamus commanding the Respondents to act upon the complaints dt : 26/5/2012 (Ex.A), dt : 11/7/2012 (Ex.B), dt: 4/4/2013 (Ex.C), dt: 16/4/2013 (Ex.E), reminder dt: 9/4/2013 (Ex.E), dt: 7/6/2013 (Ex.G) and Complaint at Ex.I, filed / made by the Petitioner and as set out in the petition within a period of time as specified by this Hon'ble Court;”

2. Mr. Yagnik, learned APP for the State on instructions from the officer who is present in the Court states that the Petitioner's complaints were looked into by the police and police have found that the dispute is primarily of civil nature. He further submitted that in some of the instances, the police have registered the complaints made by the Petitioner as NC cases and

that he has been informed about the same from time to time. Mr. Yagnik's statements are supported by documents at Exhibits- A and B which are copies of NCs. We also find that the disputes / grievances raised by the Petitioner are the unfortunate outfall of deeply rooted discord between the family members, which also involves the shop premises. We are of the view that the Petitioner has an alternate and efficacious remedy to lay a private complaint before the competent magistrate to redress his grievances. We therefore do not see any reason to entertain this writ petition and exercise the writ jurisdiction of this Court. Writ petition is accordingly dismissed.

3. In view of the disposal of writ petition, applications taken out in this writ petition, do not survive and the same are accordingly disposed of.

[V. L. ACHLIYA, J.]

[RANJIT MORE, J.]