

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 3046 OF 2015

Upendra Das ... Petitioner
V/s.
The State of Maharashtra & Ors. ... Respondents

Mr.M.J. Pabari for the Petitioner.
Mrs.A.S. Pai, APP for the State.
Mr.Bhavik Manek for Respondent No.2.

**CORAM : RANJIT MORE &
DR.SHALINI PHANSALKAR-JOSHI, JJ.**

DATE : 21st NOVEMBER, 2016.

P.C. :

1] The petitioner by this petition prayed for following
reliefs;

- i) That this Hon'ble Court may be please to direct the respondent not to take forcefully possession without obtaining the fresh order of seal.
- ii) That this Hon'ble Court may be please to restrain the respondent no.1 to threaten to the petitioner and restrain to do illegal activities without due process of law.
- iii) That this Hon'ble Court be pleased to issue writ of certiorari or writ in the nature of certiorari or such other writ order and direction under Article 226 and 227 of the Constitution of India direct the respondent not to take illegal possession of the Gala Survey No.18, Hissa No.1, Admeasuring 45 Gunthas along with construction of 5000 sq.ft. Situated at Village Ghodbunder, Bhayander (East), Taluka and District Thane and handover to the petitioner.

- iv) Ad-interim in terms of pray-iii may be granted.
- v) Any other further relief deem fit by this Hon'ble Court in the interest of justice and equity.”

2] None of the reliefs prayed by the petitioner can be granted in exercise of jurisdiction under Article 226 and 227 of the Constitution of India.

3] Writ Petition is misconceived, hence dismissed.

[DR.SHALINI PHANSALKAR-JOSHI, J.]

[RANJIT MORE, J.]