

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO. 146 OF 2016

Mr. Raunak Snehalkumar	}	
Maniyar	}	Petitioner
versus		
The State of Maharashtra	}	
and Ors.	}	Respondents

Mr. Prasad P. Nair i/b. M/s. India Legal
Solutions for the petitioner.

Mr. B. B. Sharma - AGP for respondent
nos. 1 to 3.

**CORAM :- S. C. DHARMADHIKARI &
DR. SHALINI PHANSALKAR-JOSHI, JJ.**

DATED :- JUNE 28, 2016

P.C. :-

The petitioner's complaint is that there is unauthorised tampering or mechanism to vehicle, unfair trade practice as also fraud perpetrated not only on the petitioner but the general public as a four wheeler which was already used has been sold through a dealer network as the new car. We do not think that such disputed questions as are raised can be resolved in writ jurisdiction. In the event there is a civil wrong, the petitioner's remedy lies elsewhere and it will be incumbent upon him to establish and prove the fraud. If it is alleged that the same constitutes an offence punishable not only under the Motor

Vehicle Act, 1988 but under the Indian Penal Code, 1860 as well, then, none prevents the petitioner from approaching the competent authorities and raising appropriate grievance before them. If that is not redressed, then, the remedy of filing a private complaint in the court of competent Magistrate is always open. In the face of such multiple remedies and disputed questions involved, we decline to interfere in writ jurisdiction. The writ petition is dismissed subject to above.

(DR. SHALINI PHANSALKAR-JOSHI, J.) (S.C.DHARMADHIKARI, J.)