

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR

CRIMINAL WRIT PETITION NO.682 OF 2015

Haridas Bagde

..vs..

State of Mah., thr the Police Station, Jaripatka, Nagpur and ors

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

Court's or Judge's Order

Shri R.M. Daga, counsel for the petitioner.
Dr. Anjan De, counsel for R-3.
Addl.P.P. for R-1 & 2.

**CORAM : B.P. DHARMADHIKARI &
V.M. DESHPANDE, JJ.**

DATED : JANUARY 25, 2016.

Heard.

We find that the question is of interpretation of agreement between the petitioner and respondent No.3 and whether the flat was compete by particular date. Similarly, the question is, whether the petitioner completed entire payment as per agreement within the stipulated time.

Both the sides have got their own contentions.

We find that disputed questions arise. Effort of learned counsel for respondent No.3 Dr. Anjan De is to demonstrate that it is purely a civil dispute. Learned Addl.P.P. is relying upon the reply filed by

respondent Nos.1 and 2 to urge that it is the dispute of civil nature and there exists obstruction clause. Not only this, after alleged cancellation of agreement in favour of the petitioner, respondent No.3 has allotted the suit flat to a person by name Surendra Ramteke and Shri Ramteke mortgaged it and obtained loan.

Hence, the dispute of civil nature essentially arises.

In this situation, we are not inclined to interfere at this stage. With liberty to the petitioner to take such other steps as are open in law and without observing anything on merits on rival contentions, we dispose of the criminal writ petition. No costs.

JUDGE

JUDGE

!! BRW !!

...../-