

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 21170 of 2016

ORDER:

Heard learned counsel for the petitioner and learned Government Pleader of Home.

With the consent of both the parties, the writ petition is disposed of at the admission stage.

The grievance of the petitioner is that respondent Nos.3 and 4 are interfering with the civil dispute by calling the petitioner to police station at the instance of respondent No.5.

The averments in the affidavit filed in support of the writ petition would show that the petitioner is the absolute owner and possessor of flat No.402, in S.R.Apartment, Municipal No.1-9-34/402, constructed on plot Nos.125, 126 and 127 in Survey Nos.53/1, 53/3, 56, 57, 58 and 70/2, situated at Ravinder nagar, Habsiguda, under GHMC Uppal Circle, R.R.District. It is stated that the petitioner offered the said flat for sale in the year 2014 and entered into an agreement with respondent No.5 and the same was reduced in writing and executed on 11.12.2014 for a valid sale consideration of Rs.13,75,000/-. It is the case of the petitioner that respondent No.5 paid Rs.7 lakhs towards advance sale consideration and the balance sale consideration was to be paid within a period of 45 days from the date of agreement. It is averred that inspite of repeated requests, respondent No.5 failed to pay the balance amount. Subsequently, the petitioner sold the said flat to the third parties due to financial crises and the same lead to lodging of a complaint by respondent No.5 before the police authorities. Accordingly, respondent Nos.3 and 4 started calling the petitioner to the police station and interfering with the civil

dispute, without any reason and without registering the crime.

Hence, the present writ petition is filed.

Though various grounds are raised, learned counsel for the petitioner submits that a direction may be given to the police authorities to follow due process of law while summoning the petitioner to the police station and interfering with any dispute.

Learned Government Pleader for Home submits that if the investigating agency intends to investigate, they shall do so after following due process of law.

Having regard to the submissions made and without going into merits of the case, the present writ petition is disposed of directing the respondent - police authorities to be mindful of the limits of their jurisdiction in criminal law and not to interfere with any civil dispute, except following due process of law.

Miscellaneous petitions, pending if any, shall stand closed in the light of this final order. No order as to costs.

**JUSTICE C. PRAVEEN
KUMAR**

30.06.2016

vhb