

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO.379 OF 2016

Praksh G Shetty : Petitioner.
Versus
Commissioner of Police,
Navi Mumbai and ors. : Respondents.

**ALONG WITH
INTERVENTION APPLICATION NO.502 OF 2016
IN
CRIMINAL WRIT PETITION NO.379 OF 2016**

Babulal Manikchand Mundra : Intervener/Org.Complainant

In the matter between

Praksh G Shetty : Petitioner.
Versus
Commissioner of Police,
Navi Mumbai and ors. : Respondents.

Mr. K S Patil for the Petitioner.
Mr. Rajendra Sorankar for the Applicant
Mrs. A S Pai, Addl. PP for the Respondents/State.

**CORAM : R. M. SAVANT &
SANDEEP K SHINDE JJ.**
DATE : 21st AUGUST, 2016

PC.

1 The substantive relief claimed in the above Criminal Writ
Petition is by way of prayer clause (a) which is reproduced herein
under :-

(a) This Hon'ble Court may pass appropriate

directions/Orders and direct the Officials of Panvel City Police Station, Navi Mumbai to not interfere with the possession of the petitioner and to restrain the Police from threatening the petitioner to evict the 2 shops bearing no.7 and shop no.8 situated on ground floor in the building known as “ CHANNEL RESIDENCY/ CHANNEL PLAZA”, situated at Panvel, Navi Mumbai.”

3 The relief sought is therefore in the nature of an injunctive relief which we are afraid we would not be in a position to grant the said prayer in our jurisdiction under Article 226 of the Constitution of India read with Section 482 of the Criminal Procedure Code. The above Writ Petition is accordingly dismissed. However, it would be open for the Petitioner to assert his right before the appropriate competent court. If any such proceeding is filed, needless to state that the same would be considered on its own merits and in accordance with law. In view of the dismissal of the above Criminal Writ Petition, the above Criminal Application for intervention does not survive and the same to accordingly stand disposed of as such.

[SANDEEP K SHINDE, J]

[R.M.SAVANT, J]