

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 643 OF 2017**

Gulchand Hotels Pvt Ltd.

..Petitioner

Vs.

The State of Maharashtra & Anr

..Respondents

Mr. Ashok Pande for the Petitioner

Mr. K. V. Saste APP for the Respondent State

**CORAM :R. M. SAVANT, &
SANDEEP K. SHINDE, JJ
DATE : 20th SEPTEMBER, 2017**

P.C.

1 The allegations on the basis of which the Petitioner seeks registration of the FIR and investigation therein to, in our view, constitute a civil dispute between the parties. The principal grievance of the Petitioner is that though the agreement postulates that the Petitioner has to be handed over possession of permanent alternate accommodation admeasuring 1260 sq.ft., he has been offered permanent alternate accommodation admeasuring 700 sq.ft. The agreement provides for arbitration, which proceedings we are informed are pending. The Petitioner it seems had filed a Suit in which Suit pursuant to the application made the parties were referred to arbitration.

2 In our view, therefore, the relief sought by the Petitioner cannot be acceded to. It would be open for the Petitioner to prosecute the civil remedies

that he has in law. With the aforesaid observations, the Writ Petition is disposed of.

[SANDEEP K. SHINDE, J]

[R.M.SAVANT, J]