

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 969 OF 2016

Mr. Khimjibhai Harjivanbhai Patadia	..Petitioner
Versus	
The State of Maharashtra and ors.	..Respondents

Mr. R. N. Kachave, advocate for the petitioner.
Ms. S. D. Shinde, APP for the State.
Mr. R. N. Narula i/b. Jhangiani Narula and Associates, advocate for respondent Nos. 9a and 9b.

**CORAM : RANJIT MORE &
DR. SHALINI PHANSALKAR-JOSHI, JJ.**

DATE : 24th MARCH, 2017.

P. C. :

Heard Mr. Kachave, Mr. Narula and Ms. Shinde, learned counsel and learned APP appearing for the respective parties.

2. The petition is filed seeking direction to respondent Nos. 1 and 2 to register FIR on the basis of the petitioner's various reports to the Commissioner of Police. Learned counsel for the petitioner submitted that though the reports are made directly to the Commissioner, copies of the same were forwarded to the concerned Police Station. Learned APP, on instructions, makes a statement that in pursuance of the said reports, Kandivali Police Station made a

preliminary enquiry and came to the conclusion that the dispute is of civil nature.

3. In the above circumstances, we are not inclined to entertain the petition in exercise of extraordinary jurisdiction conferred upon this Court under Article 226 of the Constitution of India, especially when the petitioner has an alternative efficacious remedy to approach the learned Magistrate by way of private complaint. In that view of the matter, the writ petition is dismissed.

[DR. SHALINI PHANSALKAR-JOSHI, J.]

[RANJIT MORE, J.]