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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.3464 OF 2015

Sayyad Niyamatulla	 Petitioner.
V/s.	
State of Maharashtra	 Respondent

None for the Petitioner.
Mrs. S.D. Shinde, APP for the Respondent State/

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

DATE : 25th JANUARY, 2017.

P.C. :

1. None for the petitioner.
2. By this petition, the petitioner, the petitioner seeks following directions :-

(a) That this Hon'ble Court may pleased to pass appropriate writ order directing directing the officer of respondent No.2 to conduct inquiry in respect of the officer attached to Sakina Police Station, who failed to take serious action against M/s Adore Hotel situated at Opp. H. K. Studio, Safed Pool, Andheri Kurla Road, Sakinaka, Mumbai 400 072, as they do not have any permission or license. On such terms and conditions may this Hon'ble Court may deem fit and property.

(b) That this Hon'ble Court may pleased to pass appropriate

writ order direction directing the officer of respondent No.3 to conduct inquiry against the officer under whose jurisdiction M/s Adore Hotel came to be constructed by encroaching the wall of Mitha Nadi.

3. The grievance of the petitioner seems to be the construction by M/s Adore Hotel that too by encroaching upon the wall of Mitha Nadi, is illegal and without prior permission from the Corporation. If that be so, the petitioner must approach to respondent No.3 Municipal Commissioner with his grievances. The relief claimed in the petition cannot be granted in exercise of criminal writ jurisdiction. We are, therefore, not inclined to entertain this petition and the same is dismissed.

[DR. SHALINI PHANSALKAR JOSHI, J.]

[RANJIT MORE,J.]