

nsc.

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

CRIMINAL WRIT PETITION NO.1885 OF 2017

Vishnu Dattatray Rasankar

...Petitioner

Versus

M/s.Neelyog Construction Pvt. Ltd. and Ors.

...Respondents

Mr.Vinay Kumar Omprakash Dubey, for the Petitioner.

Mr.Girish Kulkarni a/w Ms.Lata Wadhwani, for the Respondent Nos.1 and 2.

Mrs.S.D.Shinde, A.P.P for the Respondent No.17-State.

Mr.Bhupendra Singh, for the Respondent No.10.

Mr.A.A.Desai, for the Respondent No.16 – SRA.

***CORAM : R. M. SAVANT &
REVATI MOHITE DERE, JJ.***

DATE : 8th AUGUST, 2018

P.C. :

1. The above Writ Petition has been filed *inter alia* for the relief that the Respondent No.1 be directed to restore the Petitioner's proportionate share in respect of the land which was forming the part of the encroached property and which has been purportedly sold by the

Respondents to the Respondent No.1. The second relief is for a direction to the Respondent No.17 viz. the Commissioner of Police, Mumbai, to carry out proper enquiry and investigate into the matter of the present Slum scheme implemented on the disputed encroached property.

2. Insofar as, the first relief is concerned, the above Writ Petition is thoroughly misconceived. No such relief can be claimed in a Criminal Writ Petition.

3. Insofar as, the second relief is concerned, the same appears to be founded on the complaint made by the Petitioner to the Senior Inspector of Police, Dindoshi Police Station, Mumbai, which is annexed to the above Petition as Exhibit – 'L' at page 413. Hence, though in the prayer clause a direction is sought against the Commissioner of Police, Mumbai, in view of the fact that the complaint has been addressed to the the Senior Inspector of Police, Dindoshi Police Station, Mumbai, we direct, the Senior Inspector of Police, Dindoshi Police Station, Mumbai, to consider the complaint of the Petitioner, if not already considered, and take a decision thereon and communicate his decision to the Petitioner, within six weeks from date.

4. With the directions as aforesaid, the Writ Petition is disposed of.

5. The learned counsel appearing for the concerned Respondents undertake to file their Vakalatnama. Undertaking accepted.

(REVATI MOHITE DERE, J.)

(R. M. SAVANT, J.)