

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

CRIMINAL WRIT PETITION NO.2878 OF 2018

Ganesh Rajaram Weling and Ors. ..Petitioners

vs.

The State of Maharashtra and Anr. ...Respondents

Mr. Jondhale i/b Jondhale & Co. for the Petitioner.

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

**CORAM : B. P. DHARMADHIKARI &
SARANG V. KOTWAL, JJ.**

DATE : 26/11/2018.

P.C.:

. Heard learned counsel and learned APP. Learned APP has invited our attention to the fact that alleged complaint to police itself is not annexed with the petition and has not been pleaded.

2. Learned counsel for the petitioners is seeking adjournment. He pointed out that the petitioners are senior citizens and have bought three flats constructed on open terrace and shown as 5th floor. He further contends that 5th floor was not sanctioned at all and now the builder has moved the competent authority for regularization. He states that because of pressure of developer, police authorities are not taking any action.

3. In absence of necessary documents, we are not in a position to appreciate the contentions. Keeping all the contentions of the petitioners open and with liberty to the petitioners to file appropriate complaint, if it is not already filed, we dispose of the petition.

(SARANG V. KOTWAL, J.)

(B. P. DHARMADHIKARI, J.)