

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.4907 OF 2018

Sohail Tipu Sultan Khan.] ... Petitioner

Versus

S. N. Jadhav & Anr.] ... Respondents

Mr. Moinuddin Ahmed Khan for Petitioner.

Smt. A. S. Pai, APP for State – Respondent No.2.

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

DATE :- NOVEMBER 24, 2018

P. C. :-

1. The Petitioner has received only a show cause notice for chapter proceedings. Effort of the learned Counsel for the Petitioner is to demonstrate that as the Petitioner has been protected by the Court of Small Causes in R.A.E. Suit No.1311 of 2017 by passing an order on 27/10/2017, to circumvent it, the chapter proceedings are resorted to. The learned Counsel states that the Petitioner is asked to furnish a bond and if bond is not furnished or otherwise the Petitioner would be evicted from the premises.

2. Learned APP submits that the proceedings are premature and as yet no reply has been filed to the show cause notice.
3. We keep contention of the Petitioner open. Petitioner to file reply to show cause notice raising an appropriate defence.
4. With this liberty, we dispose of the petition.

(SARANG V. KOTWAL, J.)

(B. P. DHARMADHIKARI, J.)