

Amk

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

WRIT PETITION NO. 7304 OF 2016

Chandrakant U. Mehta .. Petitioner
Vs.
The State of Maharashtra & Ors. .. Respondents

Mr. Vishal Kanade a/w. Mr. Anand Pai i/b Karan S. Thorat for the Petitioner.

Mr. S. V. Sadavarte a/w. Mr. P. P. Bhatkar for the Respondent No.5.

Ms. Jyoti Jadhav, AGP for the Respondent Nos.1 to 4.

CORAM : A. A. SAYED & V. L. ACHLIYA, JJ.

DATE : 5th MARCH, 2018.

P. C. :

1. Learned Counsel for the Petitioner fairly states that he is not pressing prayer clause (d) which challenges the resolution dated 14.08.2005 passed by Respondent No.5-Society. So far as the reliefs claimed in prayer clauses (a), (b) and (c) of the Petition are concerned, in nutshell, it is the contention of the learned Counsel for the Petitioner that though the Respondent No.2 has given certain directions to Respondent No.3, the same has not been complied by Respondent No.3 and the directions need to be enforced.

2. On the other hand, learned Counsel representing Respondent No.5-Society submits that the Petition is devoid of substance and merit and filed merely with a view to harass the Respondent No.5-Society office bearers. He submits that the Petitioner has filed a number of cases against the

members of Managing Committee including criminal cases. It is further submitted that if the Petitioner has any grievance seeking enforcement of directions given by Respondent No.2, then Petitioner can adopt appropriate remedies available under law and the exercise of writ jurisdiction of this Court is not warranted. It is further pointed out that Respondent No.4 while dealing with complaints made by the Petitioner has passed detailed order on 04.10.2014 and dealt with each of the contention raised in the Petition.

3. On due consideration of submissions advanced and in the light of overall facts and circumstances of the case, we are of the opinion that no case is made out to invoke the extraordinary writ jurisdiction of this Court under Article 226 of the Constitution of India. We are, therefore, not inclined to entertain the Petition. The Petition is dismissed. The Petitioner would be at liberty to avail any other remedies as available to him under law. We clarify that we have expressed no opinion on the merits of the matter.

[V. L. ACHLIYA, J.]

[A. A. SAYED, J.]