

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL WRIT PETITION NO. 354/2018

(RAJENDRA HARIRAM MESHARAM & ANOTHER **VERSUS** THE STATE OF MAHARASHTRA, THR.
 PSO PS JARIPATKA, NAGPUR & ANOTHER)

Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Shri P.S. Wathore, counsel for the petitioner.
 Shri I.J. Damle, A.P.P. for the R-1.

**CORAM : SMT. VASANTI A NAIK AND
MRS. SWAPNA JOSHI, JJ.**

DATE : APRIL 24, 2018.

By this writ petition, the petitioner seeks a direction against the respondent no.1 for taking action against the respondent nos.2 and 3 in the matter of the complaint filed by the petitioners.

According to the petitioners, the petitioner had purchased a plot in a society and when the petitioners were trying to construct on the said plot, on the basis of an injunction order filed in a suit in which the plot of the petitioners is not the subject matter, the respondent nos.2 and 3 are obstructing the construction on the plot of the petitioners. It is stated that since the respondent no.1 has not taken any cognizance of the complaint lodged by the petitioners, a direction may be issued against the respondent no.1 to lodge the first information report against the respondent nos.2 and 3.

We are not inclined to grant the relief sought by the petitioners in this writ petition. The dispute is of civil nature. If the petitioners desire, it would be open for the petitioners to file appropriate proceedings in the civil Court for seeking injunction against the respondent nos.2 and 3. A direction cannot be issued against the respondent no.1 to file the first information report against the respondent nos.2 and 3 in a matter of such a nature.

In the result, we dismiss the writ petition with no order as to costs.

JUDGE

JUDGE

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