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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY****CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION NO. 268 OF 2019**

Pradeep Ganpatraj Mehta

.....Applicant

V/s.

Smita Dattatray Bhoir and another

.....Respondents

Mr. Rajiv Patil Senior Advocate a/w Mr. Manish Jain for the  
Applicant

Smt. S. D. Shinde APP for the State

**CORAM : B. P. DHARMADHIKARI &  
NTIN W. SAMBRE, JJ.**

**DATE : NOVEMBER 25, 2019.**

**P.C.**

The submissions are, the alleged multi-storied residential structure in CFC area has been raised by other accused persons and applicant cannot be blamed for it. The allegations against the applicant are of fabrication in building permission, raising unauthorized structures and selling it.

2 From documents, it appears that at least at this stage, the fact

that structure has come up in common facility centre area is not in dispute.

3 In order to examine bonafides of applicant, this Court needed to see Sale Deed/Deed of Transfer executed by applicant in favour of other accused persons. That document has not been filed. Since the fact that structure has come up at prohibited place does not appear to be in dispute, the person responsible therefore can be determined after proper inquiry. That inquiry is still going on.

4 Hence, at this stage we are not willing to intervene in extraordinary jurisdiction.

5 Application is disposed of.

[NITIN W. SAMBRE, J.]

[B. P. DHARMADHIKARI, J.]