

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 1668 OF 2019

Hill View Tower CHS Ltd.

..Petitioner.

Versus

Chairman / Secretary, Hill View
Tower D Wing CHS Ltd and Others.

..Respondents.

Mr. Vishal Saxena for the Petitioner.

Mrs A. S. Pai, APP for the Respondent-State.

Coram : RANJIT MORE &
N. J. JAMADAR, JJ.

Date : **September 3, 2019.**

P. C. :

1. The petition is filed seeking directions to the Respondent Authorities to register an FIR against Respondent No. 1 in pursuance of the Petitioner's complaint dated 14th March 2019.

2. The learned APP having taken instructions, makes a statement that preliminary enquiry into the said complaint of the Petitioner was made and the conclusion was arrived at that dispute raised by the Petitioner in the said complaint is of civil nature. The learned APP placed on record copy of the communication dated 10th July 2019 addressed to the Petitioner by the Park Side Police Station, Mumbai. By the said communication, the Petitioner has been informed that the

dispute raised by the Petitioner is of civil nature and therefore no FIR can be registered.

3. In above circumstances, the remedy of the Petitioner would be to approach the concerned Magistrate by way of private complaint. We are, therefore, not inclined to entertain this writ petition and the same is dismissed.

[N. J. JAMADAR, J.]

[RANJIT MORE, J.]