

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

CRIMINAL WRIT PETITION NO. 2673 OF 2019

Kamdhenu Developers

...Petitioner

Versus

The State of Maharashtra and Anr.

...Respondents

Mr. V.R. Garad for the Petitioner.

Mr. N.B. Patil, APP for Respondent – State.

CORAM : S.S. SHINDE, J.

DATE : 03rd SEPTEMBER 2019

P.C.:

1. Learned counsel appearing for the Petitioner submits that, the complainant has filed affidavit in lieu of examination in chief.

2. This Petition is filed challenging the order of issuance of process passed by the learned J.M.F.C. at Roha in CC No. 424/SS/2016 and also prayer is made to quash the said pending proceeding before said Court.

3. Upon careful perusal of the Petition, there are no pleadings in the petition stating that, why the Petitioner did not move the Sessions Court by way of filing Revision. In that view of the matter,

and the Petitioner has alternate and efficacious remedy of filing Revision, this Court is not inclined to invoke the Writ Jurisdiction and entertain this petition. Hence, Writ Petition stands rejected. It is made clear that, this Court has not expressed opinion on contentions raised on merits in the Petition.

4. Needless to observe that the Petitioner, if advised, will be entitled to file the Revision before the concern Sessions Court subject to law of limitation.

(S.S. SHINDE, J.)