

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTON

WRIT PETITION NO. 2964 OF 2016

Sunil Mangilal Jain.

..Petitioner.

Versus

State of Maharashtra & Others.

..Respondents.

Mr. Sunny Punamiya I/b Ashutosh Gole for the Petitioner.

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

Coram : RANJIT MORE &
SMT. BHARATI H. DANGRE, JJ.

Date : **April 12, 2019.**

P. C. :

1. Heard the learned counsel for the Petitioner and learned APP for the Respondent-State. The Petitioner is claiming ownership of land bearing old Survey No.456, Hissa no.1, admeasuring 7295 sq. yards and old Survey No.459, Hissa No.1, new Survey No. 133, Hissa No. 1, admeasuring 6589.96 sq. yards at village Navghar, Bhayandar (East), District Thane.

2. The short grievance of the Petitioner is that police personnel of Kanakiya Police Station, Mira Road East, are interfering in the Petitioner's possession over the afore-said lands and they are trying to dispossess him from the said lands.

3. Mrs. Pai, learned APP having taken instructions from the officer concerned who is present in the Court, makes a statement that

police personnel of said Police Station can neither legally interfere in the possession of Petitioner over the said lands nor did they attempt to dispossess the Petitioner from the said lands. She further assured that police will not dispossess the Petitioner from the said land without due process of law. The statements are accepted as undertaking to this Court.

4. In the light of above, grievance of the Petitioner as raised in the instant writ petition no more survives. Hence, writ petition is disposed of with a direction to the police not to interfere with the Petitioner's possession over the said lands.

[SMT. BHARATI H. DANGRE, J.]

[RANJIT MORE, J.]