

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Criminal Writ Petition No.637 of 2018
[Mukesh Bhaurao Ganvir & others Vs. State of Mah., Supdt. Of
Police, Gondia]

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

Court's or Judge's orders

Mr. C. V. Jagdale, Adv., for the petitioners.
Mr. M. K. Pathan, APP for respondent.

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CORAM : P. N. DESHMUKH AND
SMT. PUSHPA V. GANEDIWALA, JJ.

DATE : 27th June, 2019

The prayer in this Writ Petition is for issuing a direction to the respondent to take action on the basis of a complaint lodged by the petitioners.

Perusal of copy of the complaint would reveal that the same is lodged with Salekasa Police Station, Distt. Gondia. Admittedly, no such Police Station is a party - respondent to the Writ Petition; but the Superintendent of Police, Gondia, is made as a party-respondent. In fact, if the petitioners have any grievance against the concerned police for not taking action on their complaint, they have a remedy to approach the superior police authorities and take recourse to the remedy as

available under law by filing a complaint before the Magistrate and seek necessary directions. Instead of adopting such recourse, present petition is filed praying for directions as above.

In that view of the matter, we find this petition to be not sustainable, all the more in view of the law laid down in the case of **Sudhir Bhaskarrao Tambe Vs. Hemant Yashwant Dhage & others** [(2016) 6 SCC 277].

In the circumstances, the petition is disposed of as dismissed with liberty in favour of petitioners to take recourse to the remedy, whatsoever, as available under law.

Judge

Judge

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