

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

910 CRIMINAL WRIT PETITION NO.1740 OF 2020

**NANDA D/O. SOPAN KARDILE @ NANDA W/O. DNYANDEO AHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

Advocate for Petitioners : Mr. Tapse Patil Pradeep V. (absent)
APP for Respondent : Mr. S. N. Morampalle.

**CORAM : MANGESH S. PATIL, J.
DATE : 06.07.2021.**

PER COURT :

The matter was called out in the first session. The original complainant has approached this Court invoking the writ jurisdiction challenging the order passed by the Magistrate under Section 203 of the Code of Criminal Procedure dismissing the private complaint. When a query was put to the learned advocate for the petitioner as to how the alternate and efficacious remedy of Revision under Section 397 of the Code of Criminal Procedure is not being invoked, the learned advocate sought time till the recess.

2. The matter was again called out in the second session but the learned advocate for the petitioner did not turn up and the matter was directed to be kept at the bottom of the board. Though the matter is again called out at the bottom of the board, the learned advocate for the petitioner is not present.

3. Since the petitioner is seeking to impugn the order passed by the Magistrate under Section 203 of the Code of Criminal Procedure dismissing the private complaint which is a final order, a Revision under Section 397 of the Code of Criminal Procedure would be the efficacious and alternate

remedy which she is expected to exhaust.

4. The Writ Petition is therefore dismissed with liberty to the petitioner to prefer the Revision. Nothing is being expressed on merits including the question of limitation on account of delay, if any, in preferring the Revision.

(MANGESH S. PATIL, J.)

mkd/-