

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

WRIT PETITION NO. 3686 OF 2021

Rammanohar Bhagwandas Yadav	...Petitioner
vs.	
The State of Maharashtra and Ors.	...Respondents

Mr. Rammanohar B. Yadav -Petitioner in person present
Mr. J. P. Yagnik – APP for the Respondent-State

**CORAM : PRASANNA B. VARALE &
 S. M. MODAK, JJ.**

DATE : 19th APRIL, 2022

P. C. :-

- . Not on board. Taken on board.
2. Heard the Petitioner/party-in-person. He invited our attention to the documents placed on record. It was submitted by the Petitioner/Party-in-person that initially he had approached the concerned Police Station i.e. Meghwadi Police Station raising his grievance and Police Station authorities failed to pay any heed to the Petitioner. As such the Petitioner is before this Court.
3. Though this was the submission of the Petitioner/Party-in-person on perusal of the documents placed on record and appraisal of these documents, it revealed that when the Petitioner had approached the

Meghwadi Police Station by submitting his complaint, a response was forwarded to the Petitioner by communication dated 29/10/2019. It was stated in the response that the subject matter in the complaint submitted by the Petitioner is in respect of the allotment by Slum Rehabilitation Authorities (For the sake of brevity hereinafter referred to as SRA) and as such as it was further informed to the Petitioner that there is some inquiry in the matter pending before the Addl. Collector Mumbai. The Petitioner then informed to contact the office of the Additional Collector, Mumbai. It seems that the copy of the application was also forwarded to the C.E.O., S.R.A., Bandra, Mumbai by the Senior Police Inspector, In-charge Meghwadi, Police Station, Mumbai by way of communication dated 22/12/2020. The copy of the said communication is placed on record at Exh. 'U'.

4. It further reveals from perusal of documents placed on record that the Petitioner then approached the learned Metropolitan Magistrate taking recourse to the provisions of Code of Criminal Procedure and particularly Section 156(3). The learned Metropolitan Magistrate cannot find favour in the Petitioner and ultimately an Order dated 20/02/2021 passed by the learned Metropolitan Magistrate, Andheri, Mumbai. Being aggrieved by the said Order, the Petitioner/party-in-person preferred a Criminal Revision Application before the learned Sessions Judge,

Dindoshi, Borivali Division, Goregaon Mumbai namely, Criminal Revision Application No. 76 of 2021. The learned Sessions Judge also cannot find any merit in the Revision and Revision Application No. 76 of 2021 was dismissed vide Order dated 12/03/2021.

5. Considering all these facts, we are of the opinion that the in case the Petitioner is aggrieved by the Order passed by the learned District Judge whereby Revision Application is dismissed, the Petitioner can certainly avail remedy of challenging that Order and according he can approach the forum including the Judicial forum, if so, advised. In the above referred facts, we are of the opinion that the Petition filed in this Court under Section 226 of the Constitution of India and under Section 482 of the Code of Criminal Procedure is not entertainable.

6. At this stage, the Petitioner/Party-in-person submits that he be allowed to withdraw the Petition with a liberty to file an appropriate remedy by seeking the necessary legal advise.

7. Accordingly, the Petitioner is allowed to withdraw the Petition with a liberty as prayed for.

(S. M. MODAK, J.)

(PRASANNA B. VARALE, J.)