

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

CRIMINAL WRIT PETITION NO.460 OF 2023

**BALIGUNISSA BEGUM W/O. MOHD. SAMIUDDIN CHAUDHARI
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Advocate for Petitioner : Mr. M. S. Choudhary
APP for Respondent – State : Mr. G. O. Wattamwar

. . .

**CORAM : MANGESH S. PATIL AND
ABHAY S. WAGHWASE, JJ.**

DATED : 19 APRIL 2023

PER COURT :

. The Petitioner who has filed some applications with the respondent no.4 Divisional Police Complaint Authority, is making following prayers :-

“A] This Criminal writ petition may kindly be allowed.

B] Deleted as per Court order dated 30.03.2023.

C] Pending hearing and final disposal of this Criminal writ petition, the respondent no.2 may kindly be directed to provide at least some necessary staff to the respondent no.4 to enable the respondent no.4 for continuing its functioning temporarily.

D] The respondent no.5 may kindly be directed to conduct seizer panchanama of seizer of two boards in the name of accused persons and the same be removed from the land of petitioner Survey No.166/1 and the petitioner may be allowed to enjoy her property adm. 26 R. land of Survey No. 166/1 of Udgir as owner and possessor without any interference from the accused persons in Crime No. 251/2022 registered with Respondent no.5 Police Station.

- E] Ad-interim relief in terms of prayer clause “C” & “D” may kindly be granted.*
- E] Cost of the petition and compensatory cost be awarded to the petitioner by saddling the same upon the respondents.*
- G] Any other suitable relief to which the petitioner is found entitled may kindly be granted.”*

2. In our considered view, when the petitioner is already before the Divisional Police Complaint Authority – respondent no.4 with all allegations as mentioned in her application/complaint No. 257 of 2022, no relief as is being claimed can be granted independently.

3. Keeping open the avenue to the petitioner to put up her grievance before the Divisional Police Complaint Authority - respondent no.4, we dispose of the writ petition.

(ABHAY S. WAGHWASE, J.)

(MANGESH S. PATIL, J.)