

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

CRIMINAL WRIT PETITION NO.1234 OF 2021

**JANARDHAN RAOSAHEB ADSURE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

Mr. M. K. Bhosale, Advocate for the petitioners
Ms. V. N. Patil-Jadhav, APP for the respondent/State

**CORAM : SMT. ANUJA PRABHUDESSAI AND
R. M. JOSHI, JJ.**

DATE : 05th JANUARY, 2023

PER COURT :-

1. The petitioners herein has filed this application for following reliefs:

"A) By issuing appropriate writ, order, direction or any other appropriate order in the nature of writ, Hon'ble High Court may be pleased to direct the investigation in the matter through independent investigation agency of the complaints and allegations of the petitioners against respondent No. 5 and 6.

Or in the alternative

By issuing appropriate writ, order, direction or any other appropriate order in the nature of writ, Hon'ble High Court may be pleased to direct respondent No. 2 to conduct fresh inquiry of the allegations by petitioners and conclude the case within stipulated period and return the land of the petitioners transferred to respondent No. 5 and 6.

B) By issuing appropriate writ, order, direction or any other appropriate order in the nature of writ, Hon'ble High Court may be pleased to direct respondent No. 3 to

4 to register the crime against respondent No. 5 and 6 as per complaints by petitioners and arrest them immediately.

C) By issuing appropriate writ, order, direction or any other appropriate order in the nature of writ, Hon'ble High Court may be pleased to direct respondent No. 3 to provide police protection to the petitioners against respondent No. 5, 6 and their hired persons."

2. Order dated 14th February, 2022 refers the statement of learned counsel for the petitioners that they would avail the alternative efficacious remedy to challenge the order before the revisional authority and hence they were not pressing prayer clause 'A'. As far as prayer clauses 'B' and 'C' are concerned. It is stated that the Police have registered N.C. complaint. The remedy available for the petitioners is to approach the Magistrate by filing a private complaint. Hence no further orders as regards prayer clauses 'B' and 'C'. Petition stands disposed of.

(R. M. JOSHI, J.)

(SMT. ANUJA PRABHUDESSAI, J.)

ssp