

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

CRIMINAL WRIT PETITION NO.1484 OF 2022

Nandlal Gaurishankar Joshi	Petitioner
versus	
The State of Maharashtra	Respondent

Adv.Minal Chandnani with Adv.Zoheb Merchand, Advocate for Petitioner.

Adv.Meghna Gowalani, Advocate for Respondent nos.3 and 4.

Mrs.M.H.Mhatre, APP, for State.

**CORAM : A.S.GADKARI AND
PRAKASH D.NAIK, JJ.**

DATE : 6th January 2023

PC :

1. The Petitioner has already exhausted alternate remedy available under law by way of filing Civil Miscellaneous Application No.1269 of 2019 before District and Sessions Court, at Pune under Guardians and Wards Act, seeking custody of the corpus i.e. Master Harsh Nandlal Joshi.

2. The Hon'ble Supreme Court in the case of *Bombay Metropolitan Region Development Authority, Bombay Vs. Gokak Patel Volkart Limited and others*¹, has held that once the Petitioner actually avails alternate remedy available to him, the Writ Petition filed under Article 226 of Constitution of India should not be entertained.

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3. In view thereof, We find no reason to entertain this Petition and is accordingly dismissed.

(PRAKASH D. NAIK, J.)

(A.S.GADKARI, J.)

MST