



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 3168 OF 2023

Sambhadevi Shyamnarayan Mourya

.....Petitioner

Vs.

The State Of Maharashtra

.....Respondent

Mr. Shardul N. Chandane for the Petitioner.

Mr. A.R. Patil APP for the Respondent-State.

CORAM : A. S. GADKARI AND
SHARMILA U. DESHMUKH, JJ.

DATE : 20th SEPTEMBER, 2023.

PC.:-

1) Record indicates that, for the reliefs prayed for in the Petition, the Petitioner has already availed alternate remedy by way of filing of C.C. No.344/SW/2021 in the Court of Metropolitan Magistrate, 17th Court, Borivali, Mumbai. That, the trial Court has issued an Order under Section 202 of Cr.P.C. in the month of December, 2022.

2) In view of the principle of law enunciated by the Hon'ble the Supreme Court in the case of *Bombay Metropolitan Region Development Authority, Bombay V/s. Gokak Patel Volkart Ltd. & Ors. reported in (1995) 1 SCC 642*, present Petition does not survive and is accordingly disposed off.

(SHARMILA U. DESHMUKH, J.)

(A.S. GADKARI, J.)