

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 5767 OF 2018**

Shila Rajaram Dhimar

...Petitioner

V/s.

The State Of Maharashtra And Ors.

...Respondents

Ms. Leena Patil, Appointed Advocate for Petitioner.

Mr. Ajay Patil, A.P.P. for the Respondent-State.

**CORAM : A. S. GADKARI AND
PRAKASH D.NAIK, JJ.****DATE : 12th JANUARY, 2023.****PC.:-**

. The Petitioner being unsuccessful in filing private complaint against the accused persons mentioned in it, who are also Respondents herein has again invoked jurisdiction of this Court for lodgement of a fresh crime for the same cause of action. Petitioner has also sought relief in the nature of an injunction as in a Civil Suit, in the present Petition.

2. Perusal of Petition indicates that, the Competent Authority i.e. Maharashtra Housing and Area Development Authority established under the Maharashtra Housing and Area Development Authority Act, 1976 has passed an Order of eviction against the Petitioner dated 29.11.2004 itself.

It appears from the record that, Petitioner has not yet complied with the said Order and is seeking injunction from this Court.

3. In view of the above, according to us, present Petition is misconceived and is dismissed in *limine*.

(PRAKASH D. NAIK, J.)

(A.S. GADKARI, J.)