



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

944 CRIMINAL WRIT PETITION NO. 412 OF 2025

**RAJENDRA PETRAS LALZARE
VERSUS
NANABHAU SAHEBRAO LALZARE**

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Advocate for the Petitioner : Mrs. Jayshri Pandurangrao Reddy

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CORAM : SHAILESH P. BRAHME, J.

DATE : 27th MARCH 2025

PER COURT :

. This petition is directed against order dated 21.06.2018 passed by the Judicial Magistrate First Class, Ambad, District Jalna and further judgment and order dated 31.07.2019 passed by Revisional Court. It is filed on 04.03.2025 after lapse of five years.

2. Learned counsel for the petitioner submits that she was entrusted brief by High Court Legal Services Committee and after collecting the information, petition is filed. There are no laches in presenting the petition. She would submit that petition needs to be considered on merit. In view of the serious allegations for which the petitioner is espousing a cause, criminal action would not be thwarted with. It is submitted that respondents have committed serious offence in grabbing the plot of the petitioner and misrepresenting the government officials in procuring the benefit of

the Government housing scheme. The respondent No.1 is disqualified under the scheme. The mischief committed by them should not go unpunished.

3. The petitioner who is the complainant submitted the protest petition before the trial court when the investigating officer submitted 'C' Summary report in Crime no.32 of 2016. The protest petition is rejected by elaborate order by the trial court on 12.06.2018. Thereafter the revisional court also confirmed the said order by assigning reasons on facts and also considering the legal position.

4. Both the courts below have considered all aspects of the matter. The petitioner is given due opportunity of hearing and due procedure of law was followed in granting 'C' summary report. The grievance of the petitioner has loopholes. For grabbing of the plot, the civil remedy is open to the petitioner and for another allegation, there is no corroboration by producing relevant documents on record. There is want of sanction also to the extent of Respondent Nos. 2 to 4. I do not find that there is any illegality or perversity while passing the orders by both the courts below. Besides that no explanation is coming forth to entertain the petition after period of five years. I find no merit in the petition. Writ petition is dismissed.

5. Learned counsel for the petitioner Mrs.Reddy is entitled to receive fees to be quantified by Legal Services Authority for her able

assistance to the Court.

[SHAILESH P BRAHME, J.]

vsj..