



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL WRIT PETITION NO. 914 OF 2025

LINKHOUSE INDUSTRIES LTD. THROUGH ITS DIRECTOR SHRI NANDKUMAR
KHATTUMAL HARCHANDANI

Vrs.

STATE OF MAHARASHTRA AND OTHERS

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri R. P. Meshram, Advocate h/f Shri Gaurav Gour, Advocate for
petitioners.

Shri S. S. Doifode, A. P. P for respondent-State.

Shri Virat Mishra, Advocate for respondent No.4.

CORAM: ANIL L. PANSARE AND
NIVEDITA P. MEHTA, JJ.
DATE : 19/01/2026

1. Heard.
2. The challenge is to the alleged illegal and arbitrary action of respondent No.3 – police officer and respondent No.4 - private person for taking forcible possession of the property, which was allegedly in the possession of petitioners. The petitioners in the memo of petition have made a categorical statement that on 11/11/2025, respondent No.3 was acting at the behest of respondent No.4 and certain police officials were sent at the spot for dispossessing petitioners.

3. Learned APP has tendered across the bar FIR lodged by the Supervisor of petitioners alleging that on 11/11/2025, twenty to twenty five persons arrived at the spot and installed their board of respondent No.4's Company's. The FIR is, however, completely silent about the role played by respondent No.3. Thus, there is material discrepancy in the allegation made in the FIR, which was lodged on 07/12/2025 vis-a-vis allegations made in the petition.

4. At this stage, learned counsel for the petitioners makes a request to keep this matter back so as to enable him to take instructions and accordingly, matter is kept back.

5. We may note here that argument of respondent No.4 is that he has purchased the property under question through Registered Sale Deed and is a lawful owner.

6. Learned counsel for respondent No.4 submits that petitioners have suppressed the material facts. He submits that there were arbitration proceedings pending between the original owner of the suit property and the

petitioners. The award was passed in favour of the petitioners. The award was challenged under Section 34 of the Arbitration and Conciliation Act, 1996. The learned Court set aside the award. Thereafter, petitioners filed civil suit being Special Civil Suit No.171/2015. The suit was dismissed under Order VII Rule 11 of the Code of Civil Procedure. The petitioners challenged the order before this Court in First Appeal No.712/2025. The petitioners have made respondent No.4 as party respondent in the appeal saying that respondent No.4 has purchased the property under question as also about his possession. Thus, the petitioners were aware of the fact that the respondent No.4 has purchased the property under question and was in fact, in possession. These facts have been suppressed by the petitioners.

7. We call upon the petitioners to answer these allegations.

[JUDGE]

[JUDGE]

Later on :

8. Later on, learned Counsel Mr. Meshram, instructed by Mr. Gaurav Gour, appeared and sought time saying that Mr. Gour is not available due to ailment of his wife.

9. We, accordingly, adjourn the matter to next week. However, on the strength of the submission made by respondent No.4, we would like to test the bona fides of the petitioners. Accordingly, the petitioners are called upon to deposit an amount of Rs.1,00,000/- before the next date.

10. List on 29th January, 2026.

[JUDGE]

[JUDGE]

Waghmare