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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.4907 OF 2013

Vinod Vishwamitra Kapur and Anr. ... Petitioners
Versus
The State of Maharashtra and Anr. ... Respondents

Mr. Rajesh Singh i/by M/s. Legal Liaisons, for the Petitioners.
Mr. A.I. Patel, AGP, for the Respondent No.1.
Mr. Ankit Kulkarni i/by M/s. Little & Co., for Respondent No.2.

CORAM : A.S. OKA &
VL. ACHLIYA, JJ.

DATE : 2nd SEPTEMBER, 2015

PC.

. The issue which arises for consideration in this Petition is whether the Petitioners had unauthorisedly sub let the plot allotted to them by the second Respondent. After having perused the averments made in the Petition, reply and rejoinder, we find that disputed questions of fact are involved. Evidence will have to be adduced on the disputed questions of fact. Hence, this is not a fit case to exercise the jurisdiction of this Court under Article 226 of the Constitution of India. By keeping the remedy of the Petitioners expressly open, the Petition is disposed of. All contentions on merits are kept open.

(VL. ACHLIYA, J)

(A.S. OKA, J)