

FARAD CONTINUATION SHEET NO.  
IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
NAGPUR BENCH, NAGPUR.

**WRIT PETITION NO. 7256 OF 2014**

Chandrashekhar S/o Brijmohan Mor

-vs-

Hindustan Petroleum Corporation Ltd., Mumbai and others

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Office notes, Office Memoranda of  
Coram, appearances, Court's orders  
or directions and Registrar's orders.

Court's or Judge's Orders.

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Mr.N.R.Bhishikar, counsel for the petitioner.  
Mr.PD.Meghe, counsel for the respondent Nos.1 and 2.

**CORAM : SMT.VASANTI A. NAIK &**  
**PRASANNA B. VARALE, JJ.**

**DATE : 09.07.2015.**

By this petition, the petitioner challenges the decision/communication of the respondent No.1, dated 30/07/2014, rejecting the tenders submitted by the petitioner, being bad-in-law. The petitioner seeks a direction to the respondents to consider the tender of the petitioner.

Shri Meghe, the learned counsel for the respondent Nos.1 and 2, states that the petitioner is a very unfair person, inasmuch as the petitioner has filed Writ Petition No.1209 of 2015, challenging the same decision/communication, dated 30/07/2014, rejecting the tenders of the petitioner. It is stated that the parties to both the petitions are the same and the same decision/communication, dated 30/07/2014 is challenged by the petitioner in the two petitions. It is stated that though this petition is to be heard by this Bench as per the assignment, the other petition is being heard by the other Bench of which Hon'ble Shri Justice B.R. Gavai and Hon'ble Ms Justice Indira Jain are the members. It is stated that the petitioner is not entitled to any discretionary relief, in

exercise of the writ jurisdiction, as the unfairness of the petitioner can be depicted from the aforesaid statement.

We are really surprised at the manner in which the petitioner has challenged the very same decision/communication of the respondent No.1, dated 30/07/2014 by filing two separate petitions. An unfair petitioner, as rightly submitted on behalf of the respondents, cannot seek the indulgence of this Court, in exercise of the extra ordinary and discretionary writ jurisdiction. We find that the petitions are filed by different counsel on different dates though the petitioner has affirmed the solemn affirmation in both the petitions. The conduct of the petitioner would not entitle the petitioner to any relief, in exercise of the writ jurisdiction.

At this stage, learned counsel Shri Bhishikar for the petitioner, states that the petitioner has filed the instant petition as a partner of a firm and Writ Petition No.1209 of 2015 has been filed by the petitioner as a proprietor of a proprietary concern.

We are not only surprised, but shocked at the audacity with which the submission is made, despite the fact that the counsel for the petitioner has perused the copy of Writ Petition No.1209 of 2015. It is clearly stated in para – 1 of this petition that the petitioner carries on the activities under the name and style of M/s. C B Mor, which is his proprietary concern and an identical averment finds place in para – 1 of Writ Petition No.1209 of 2015.

Hence, in the circumstances, we dismiss the writ petition with costs of Rs.10,000/-.

**JUDGE**

**JUDGE**