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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.4441 OF 2013

Chetan Jadhav	...	Petitioner
Vs.		
Hon'ble Chief Minister, Maharashtra through the State of Maharashtra and Ors.	...	Respondents

Mr. Chetan Milind Jadhav, Petitioner in person.
Dr. F.R. Shaikh, APP for the Respondent – State.

**CORAM : A.S. OKA &
P. D. NAIK, JJ.**

DATE : 11th APRIL, 2016

PC.

1 Heard the Petitioner appearing in person. His contention is that his father was allotted a flat under the Chief Minister's discretionary quota. The substantive prayer in this Petition is for directing the allotment of flat to his father. The second prayer is for handing over possession of the flat allotted to his father.

2 This Court in the case of *Chandrabhan Sukhdeo Sangle and others Vs. Urban Development Department*¹ has already held that all Government Resolutions permitting allotment of flats in 2% and 5%

¹ 2014(3) Bom. CR 692

quota of the Chief Minister are illegal. Therefore, a writ of mandamus cannot be issued directing the State Government to allot a flat in 2% or 5% quota to the Petitioner's father. Secondly, the present Petition is not filed by the person who is claiming to be allottee. The Petitioner is claiming to be son of allottee.

3 Hence, no relief can be granted to the Petitioner in this Criminal Writ Petition and the same is accordingly rejected.

(P. D. NAIK, J)

(A.S. OKA, J)