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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO. 2851 OF 2015

Sarang Seva Sanstha

...Petitioner

Vs.

M.C.G.M & 4 Ors.

...Respondents

Mr. Hemant P. Ghadigaonkar for the Petitioner

K.H. Mastakar for MCGM

CORAM : NARESH H. PATIL &

M.S. KARNIK, JJ.

DATED : 27TH FEBRUARY, 2017

P.C. :

The Petitioner submits that being first in time his application ought to have been accepted for running "Pay & Use Toilets" situated below the Keshavsut Bridge, Opp: Kamat Hotel, Dadar, Mumbai under a policy framed by the Corporation in 2005.

2. The grievance of the Corporation is that now the Corporation issued E- Tendering calling for the construction, operation and maintenance of PSC blocks from the deserving candidates.

3. In case the Corporation decides to call for E-Tendering being a

transparent method it will not be appropriate to interfere at the behest of the Petitioner. According to the Petitioner he was to be selected for the said work in 2009 itself for allotment of the site. The Petitioner approached this Court at a belated stage.

4. In exercise of writ jurisdiction and in the facts no interference is warranted. However, in case the Petitioner desires to participate in E-Tendering process he may do so.

5. The Petition is accordingly dismissed.

(M.S. KARNIK, J.)

(NARESH H. PATIL, J.)