

Pdp

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2261 OF 2018

Hemanshu Manibai Thakkar

.. Petitioner

Vs.

State of Maharashtra and ors.

.. Respondents

Mr. P. J. Thorat for petitioner.

Mr. Rajendra Anbhule for respondent nos.2 and 3.

Mr. A. P. Vanarase, AGP for respondent no.1.

CORAM: NARESH H. PATIL &
G. S. KULKARNI, JJ.

APRIL 06, 2018.

P.C.

1. The petitioner prays for following relief:-

- (a) That this Hon'ble Court be pleased to issue a Writ of Mandamus or any other Writ in the nature of Mandamus directing the Respondents to issue the Passing Certificate in favour of the Petitioner in respect of the examination of State Eligibility Test conducted

by the Respondent No.3 University in the month of December, 1998.

2. It is stated that the petitioner is qualified Chartered Accountant and is a disabled person who is suffering 50% permanent disability due to Polio. The petitioner seeks direction against the respondents to issue certificate of State Eligibility Test examination held on 13/12/1998. According to the petitioner, the said certificate was erroneously withheld by respondent no.3 on the ground that the petitioner did not possess necessary eligibility for appearing for the said examination.

3. The learned counsel for the petitioner submitted that though there is delay on the part of the petitioner to approach this court, the same was due to the fact that he was representing his case before the authority and was hopeful of positive outcome.

4. We have heard the learned counsel for the parties. We have perused the record placed before us. We find that the petitioner has approached this court for a relief in respect of cause of action which arose in the year 1998. The delay is abnormal, which is not explained properly.

5. In the facts, we observe that the petitioner may resort to appropriate alternate remedy as permissible in law. We are not inclined to exercise our extra ordinary writ jurisdiction.

6. The petition is accordingly dismissed.

(G. S. KULKARNI J.)

(NARESH H. PATIL,J.)