

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2903 OF 2019

Arvind F. Jaiswar

..Petitioner

Vs.

The State of Maharashtra

and Others

..Respondents

Mr. Rohan P. Surve, for the Petitioner.

Mrs. A. A. Purav, AGP, for Respondent Nos.1 and 2 State.

Mr. N. R. Bubna, for Respondent Nos.3 to 5, 6 and 7.

**CORAM:-S. C. DHARMADHIKARI &
B. P. COLABAWALLA, JJ.**

DATE :- MARCH 29, 2019.

P. C.:

In the light of the affidavit in reply, and once we find that this Petitioner is bringing repeated Petitions on the same cause of action, in our jurisdiction under Article 226 of the Constitution of India which is not only extraordinary but equitable and discretionary, we are not inclined to assist him. He has already brought two Petitions in this Court being Writ Petition No. 6899 of 2017 and Writ Petition No. 6900 of 2017 concerning this

very construction which is termed as unauthorized and illegal. Then, without disclosing the fate of those Petitions, he brings another Petition being Writ Petition No. 5474 of 2018 which he says in the memo of the present Petition that he has withdrawn.

2 In the light of this flip-flop of the Petitioner and once we are not satisfied with the *bonafides* of the litigation, we dismiss this Writ Petition.

(B. P. COLABAWALLA, J.) (S. C. DHARMADHIKARI, J.)