

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

WRIT PETITION (L) NO.4235 OF 2018

Jitendra Kundan Singh

...Petitioner

vs.

Union of India and 3 Ors.

...Respondents

Mr. Aditya Deolekar for the Petitioner.

Mr. Javed Hussein a/w Mubashir Hussein i/b Hussein & Co. Associates for the Respondent Nos.2, 3 and 4.

Mr. A. R. Singh for Respondent No.1-Union of India.

**CORAM : B. P. DHARMADHIKARI &
REVATI MOHITE DERE, JJ.**

DATE : 23/01/2019.

P.C.:

. Heard learned counsel for the petitioner. The width of premises offered by petitioner was found less by .25 meters. Respondents found him ineligible. In the result it announced fresh process. It is not in dispute that fresh process is also over.

2. Effort of learned counsel for the petitioner is to urge that policy of respondent No.2 allowed it to ignore shortfall of 2.5 meters and to round up the width as 3 meters. Learned counsel for Respondent No.2 is disputing this.

3. Learned counsel for the petitioner also adds that before disqualification, petitioner was not given opportunity of hearing.

4. As the process is already over, we are not inclined to delve into the controversy. We keep contentions of the petitioner open. If he finds any

error in fresh allotment process, we grant him liberty to approach again.
With this liberty we dispose of the present matter.

(REVATI MOHITE DERE, J.)

(B. P. DHARMADHIKARI, J.)