

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.1783 OF 2019

SHAIKH NADEEM SHAIKH KAREEM
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Shri Wani Ruchir S.
AGP for Respondents/ State : Shri S.P.Tiwari

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**CORAM : S.V. GANGAPURWALA
&
SHRIKANT D. KULKARNI, JJ.**

DATE :- 28th January, 2020

Per Court :-

1 Mr.Wani, learned advocate for the petitioner, submits that pursuant to the advertisement dated 16.04.2018 issued by the respondents, the petitioner had applied for allotment of "Aple Sarkar Seva Centre" for ward No.43. The petitioner had also applied for ward No.44. However, the applications of the petitioner were rejected. The respondents did not call for any explanation from the petitioner and straightaway rejected the applications. The respondents could have called for explanation from the petitioner to clarify about the residence. In fact, Sharif Colony is situated in Roshan Gate area. The respondents could not have straightaway rejected the applications.

2 The learned AGP supports the order and submits that the

petitioner has not filed any document showing the proof of his residence. On the same date, two applications were filed.

3 We have considered the submissions. It is not disputed that the petitioner has applied for "Aple Sarkar Seva Centre" for ward No.43 and also for ward No.44 by two separate applications. In fact, the petitioner could have applied for only one centre. If the candidate applies for two centres, then, the subsequent application is to be cancelled. In the present case, the petitioner applied for both the centres on the same day. In both the applications, the addresses mentioned were different. For seeking the said centre for ward No.44, the address was mentioned as Roshan Gate and for ward No.43, the same was mentioned as Sharif Colony. Now, it is tried to be submitted that Sharif Colony is situated in Roshan Gate area. In fact, for Roshan Gate and Sharif Colony, there were two different centres. In view of some ambiguity, we do not find any error on the part of the respondents to reject such applications.

4 Moreover, nobody is allotted the said centre for ward No.43. Fresh applications were called for and the petitioner has already applied for ward No.43. Now, naturally the petitioner's application would be considered on its own merits.

5 This Writ Petition is, accordingly, disposed of. No costs.