

Sonali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 122 OF 2022**

Alamgir Alihussain Shaikh

...Petitioner

Versus

State of Maharashtra & Ors

...Respondents

Mr AS Tripathi, *for the Petitioner.*

Mr PG Sawant, AGP, *for Respondent No.1-State.*

**CORAM G.S. Patel &
 Madhav J. Jamdar, JJ.**

DATED: 17th March 2022

PC:-

1. This Petition is thoroughly misconceived. The Petitioner is admittedly entered in Annexure II at Serial No.117. It is not clear whether he has been held eligible or not. But that will not matter in light of what this Petition demands. For whatsoever reason, the Petitioner asks that the Assistant Registrar Cooperative Societies should discard or withdraw a report of a lottery allotment of rehab premises made on 8th June 2018 and cancel *all* allotments made thereunder, this being described as illegal. The next prayer asks that a report dated 21st October 2020 of the SRA should be subjected to appropriate action and, again, that illegal allotments should be cancelled.

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2. The result would be that any allotment to the Petitioner would go. But simultaneously so would the allotments made to several hundred others. None of those allottees are made parties to this Petition though they are all directly affected by such a prayer. This is deliberate, and therefore mischievous. The attempt is to gain some private benefit at the cost of unnamed and unserved others. No principle in law or equity will permit this.

3. Then there is the gross and unexplained delay and laches on the Petitioner's part. The second prayer is a challenge to an October 2020 report. The first prayer challenges an even earlier report of 2018. There is no explanation whatsoever for this delay.

4. The Petition is rejected in limine. No costs.

(Madhav J. Jamdar, J)

(G. S. Patel, J)