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FARAD CONTINUATION SHEET No.

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

WRIT PETITION NO.1493 OF 2016

Retd.ACP-Shinde Sarjerao Mahadev ...Petitioner
vs.

Mohan Bhagwat-Sarsanghchalak
(RSS) and others ...Respondents

Mr.Sarjerao M. Shinde the Petitioner in person
Mr.R.S.Apte, Senior Counsel a/w Mr.Sagar Ambekar for
the Respondent No.1.
Mr.Milind More, Addl.G.P for respondent Nos.2 to 8.

CORAM : A.S.OKA, &
SMT.ANUJA PRABHUDESSAI,JJ.

DATE : DECEMBER 2, 2016

P.C.

1 Heard the petitioner appearing in person. The substantive prayers made in this petition under Article 226 of the Constitution of India are in paragraph 15. Paragraph 15 of the petition reads thus:

(15) PRAY/RELIEF SOUGHTS:

By this Hon'ble Court, be pleased and to this Writ Petition issue the Mandamus Order' in the nature of 'Writ'. And be pleased to dispose of this writ petition with following order i.e to.

(a) India i.e to "Bharat" it have national feature as 'Country' in the world. And therefore to Nation India not to be treated as "Bharatmata". And therefore to

"National India" it is not treated as Mata or Janani nor treated as 'Goddess' according to concept of Hindu Religion, i.e for "Bharatmata;

(b) The basic structure of Nation India is that-

- (i) Sovereign
- (ii) Socialist
- (iii) Secular/Dharmnirpkesh
- (iv) Democratic
- (v) Republic

(c) The basic structure i.e (iii) Secular it have attached the concept of Secularism. And therefore Secularism means in Marathi 'Dharmnirpesh' or 'Sarvadharmasambhav', but not mischievously 'Panthnirpeksh'. It is not and never attached to Nation India for meaning of Secularism.

(d) And therefore the best slogan is in the world for Nation India

- (i) 'Sarvadharmasambhav'
Bharat Desh Ki Jai
- (ii) 'Bharat Desh Ki Jai'
- (iii) 'Jai Bharat'
- (iv) 'Jai Bhim' or
- (v) 'Jaihind' slogan means Indian

(e) And who 'mischievously' pronounced the following words:

- (i) `Hymn Swantantrate Bhagwati'
- (ii) `Bharatmata'
- (iii) `Vandemataram'

Punish to said accused person by
life sentence AND

(iv) If mischievously pronounced the
abovementioned prohibited words by
any Peoples Representative. Punish
him/her by as disqualification in house
accordingly i.e.

- (a) In the Parliament
- (b) In the assembly
- (c) In the Zilla Parishad/Corporation
- (d) In the Panchayat Samittee
- (e) In the Grampanchayat

(f) (i) `Vandemataram' this out dated word should not
be considered in national song AND

(ii) `Vande Bharatam' this Hon'ble word
be pleased and mentioned in the
National Song of Nation India. And it
will be sing at the following places:

- (a) In the Parliament
- (b) In the Assembly
- (c) In the Zilla Parishad/Corporation
- (d) In the Panchayat Samittee
- (e) In the Grampanchayat AND
- (f) In schools and Colleges.

2 On plain reading of the said prayers, none of the reliefs as prayed for therein can be granted in this petition under Article 226 of Constitution of India. Writ Petition is rejected.

(ANUJA PRABHUDESSAI,J.)

(A.S.OKA,J.)