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

PUBLIC INTEREST INTERST (L) No. 53 OF 2016

Shri Parag Ranjitkumar Kotadia

....Petitioner

Vs.

The State of Maharashtra and ors.

....Respondents

None for the Petitioner

Mr. Bharat Mehta, for Respondent No.1 - State

Mr. Anand Girdhar for Respondent No.2

Mr. Vijay Patil for Respondent Nos. 4 & 6

Mr. Satish Kamat for Respondent No.7

***CORAM : V. M. KANADE &
M.S. SONAK, JJ.***

DATE : AUGUST 3, 2016

P.C. :

1. None appears on behalf of the Petitioner.
2. The Petitioner has filed this PIL under Article 226 of the Constitution of India, seeking the following reliefs.

“a) That, the Respondent Nos. 1, 9 and 10 be ordered or directed to cancel, rescind and/or revoke the permissions or sanctions and/or order for Annexure -II, allotment letters, LOI, IOA and CC in or upon the suit property i.e. Patel Chawl SRA CHS (Proposed) for redevelopment of property bearing CTS No. 172, 172/1 to 34 situate

at Village Bandivali, Taluka - Andheri (MSD) more particularly near Jogeshwari Railway Station, Jogeshwari (West), Mumbai – 400 102.

b) Direct the Respondent Nos. 1,9 and 10 to investigate as per the complaint filed in this Public Interest Litigation by the Petitioner under the monitoring of this Hon'ble Court.

c) Direct the Respondent Nos. 1, 9 and 10 to give the status report of its investigation as per the complaint stated in this Public Interest Litigation.

d) Direct the Senior Inspector of Amboli Police Station who is Respondent No.9 to investigate the complaint as per the orders U/s. 156(3) issued by the 66th M.M. Court, Andheri Division for the offence of cheating, mis-appropriation and forgery committed by Respondent Nos. 2 to 7 and 11 as stated in this Petition.

e) That it be declare that the provision of Section 197 of the Criminal Procedure Code for obtaining sanction for prosecution of the government servants is not applicable to any official employees of Respondent Nos. 2 to 7 ”

3. The Petitioner has not annexed any documents to the petition. It is obvious

that the PIL has been filed without making any enquiry with the concerned authorities. We are satisfied that there is no public interest involved in this PIL since the aggrieved parties can very well approach to the Court or Forum, which is available to them. Hence, PIL is dismissed.

M.S. SONAK, J.

V.M. KANADE, J.