

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
PUBLIC INTEREST LITIGATION NO. 51 OF 2016

Mr. Mangal Vijay Raut	..	Petitioner
versus		
State of Maharashtra & Ors.	..	Respondents

Mr. Vikram Sathye with Mr. Saeed Mulani i/b. M/s. Mulani & Co. for Petitioner.

Mr. Anurag Gokhale – AGP with Ms Kiran Bhagalia i/b. Ms Chitra Phadke for Respondent No. 2.

Mr. R. S. Desai with Mr. Devendra Avhad i/b. M/s. Thodur Law Associates for Respondent No. 3.

CORAM: DR. MANJULA CHELLUR, C. J. AND
M. S. SONAK, J.
DATE : 24 AUGUST 2016

P.C.:

1] Heard learned counsel for the parties.

2] As this court was not satisfied with the *bona fides* of the petitioner, the learned counsel for the petitioner was required to take instructions as to whether the petitioner would be willing to deposit an amount of Rs.10 Lakhs by way of security of costs. Today, the learned counsel for the petitioner, on the basis of instructions from the petitioner, states that the petitioner will not be in a position to deposit costs of Rs.10 lakhs. However, the petitioner would be willing to make some reasonable deposit towards security of costs.

3] Without prejudice to the issue of *bona fides*, we have heard the learned counsel for the petitioner as well as perused the averments in the petition. At least *prima facie*, it appears that the petitioner is interested in requiring this court to investigate into purely contractual matters, which may not be advisable in the exercise of writ jurisdiction including, more particularly, the jurisdiction of public interest litigation. Therefore, we are not inclined to entertain the present petition.

4] The petitioner, however has made representations to various authorities, details of which have been set out in paragraph 7 of the petition. The authorities are requested to look into the representations and take suitable decision with regard to the same.

5] With the aforesaid observations, the present petition is dismissed. There shall, on this occasion, be no order as to costs.

6] All concerned to act on basis of authenticated copy of this order.

CHIEF JUSTICE

(M. S. SONAK, J.)

chandka