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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
PUBLIC INTEREST LITIGATION NO.16 OF 2015

M/s.Indian Spa and Wellness
Association ...Petitioner
vs.
The Union of India & Ors. ...Respondents

None for the Petitioner
None for the respondents

CORAM : A.S.OKA, &
G.S.KULKARNI,JJ.
DATE : MARCH 11, 2016

P.C.:

1 None appears for the petitioner. By this PIL,
a writ of mandamus is sought by the petitioner
against the respondents. Prayer clauses (a) and (b)
of this petition read thus:

“(a) this Honourable Court be pleased to
issue a Writ of Mandamus or Writ in the
nature of mandamus or any other appropriate
writ direction and order under Article 226 of
the Constitution of India directing the
respondent Nos.1 to 6 to enact and implement
proper and convenient law and/or guidelines
for the spa and wellness unit holders
urgently.

(b) this Honourable Court be please to issue

a writ mandamus or writ in the nature of mandamus or any other appropriate writ direction and other under Article 226 of the Constitution of India, 1950, directing the Respondent Nos.1 to6 to take essential steps in this direction with formation of a high level committee or any other suitable mechanism for drafting of proper and convenient law and/or guidelines for the spa and wellness unit holders urgently."

2 We have perused the averments made in this petition. Before filing this petition, the petitioner has not made any representation to the concerned Authorities of the respondents for demanding justice.

3 Though this petition is numbered as PIL, it is a petition under Article 226 of the Constitution of India seeking a writ of mandamus. Therefore, this petition will be governed by the decision of the Apex Court in the case of *Saraswati Industrial Syndicate Vs. Union of India*¹. Hence, the same cannot be entertained.

4 Therefore, we decline to entertain this PIL and the same is disposed of. However, this order will not prevent the petitioner from making appropriate representation to the concerned Authorities.

(G.S.KULKARNI,J.)

(A.S.OKA,J.)