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

PUBLIC INTEREST LITIGATION No. 85 OF 2015

Manoranjan Santosh Roy ***...Petitioner***
Vs.
International Monetary Fund ***..Respondent***

WITH
CHAMBER SUMMONS (L) No. 246 OF 2016
IN
PUBLIC INTEREST LITIGATION No. 85 OF 2015

Manoranjan Santosh Roy ***...Applicant***

In the matter between

Manoranjan Santosh Roy ***...Petitioner***
Vs.
International Monetary Fund ***..Respondent***

WITH
CHAMBER SUMMONS (L) No. 271 OF 2016
IN
PUBLIC INTEREST LITIGATION No. 85 OF 2015

Manoranjan Santosh Roy ***...Petitioner***

Versus

International Monetary Fund and Ors. ***...Respondents***

Vs.
Citizen Right's Protection Committee ***...Applicant (Proposed Petitioner)***

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Mr. Nilesh Tank i/b. Maharashtra Law Associates for Petitioner
Ms. Lata Patne i/b. Vinod Joshi for Respondent Nos.2 and 5
Mr. N.R. Prajapati a/w. Mr. Anil Yadav for Respondent No.6
Mr. Monesh Soni for Applicant in CHSWL No.271 of 2016
Mr. Venkatesh Dhond, Senior Counsel a/w. Mr. Ashraf Patel i/b. K. Ashar & Co. for Respondent Nos. 4 and 5 in PIL No. 85 of 2015

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CORAM : V. M. KANADE &
SMT. SWAPNA S. JOSHI, JJ

DATE : AUGUST 23, 2016

P.C. **:**

1. By this petition, which is filed under Article 226 of the Constitution of India, the Petitioner is seeking the following reliefs.

> "a. That this Honourable Court be pleased to admit the petition and issue rule.
>
> b. That this Honourable Court be pleased to issue Writ of Mandamus or any other appropriate writ or direction in the nature of mandamus to investigate the below mentioned

issues:

i. That the RBI should give the details, mechanism and factors in respect of printing of notes i.e. 6CC*984148, 5CC*565369, 4CC*218744 printed in the year 2011 and 0CC*905441, 1CC*010498, 1CC*008020 printed in the year 2012, as if the currency notes will be printed in this manner there is a chances of duplication of currency notes.

ii. That as per the RBI 7 digit (1000000) notes are printed to complete the millionth note but all the currency notes are coming with 6 digits (999999), hence the same is impossible to print and the same is required to be investigated.

iii. That after getting the damage notes by RBI whether RBI destroy that notes or re-print the same series of new notes hence it is required to be investigated.

iv. That as per Indian Currency Notes i.e. Number 47N-930601/ 08D-633501/35E-671301/35E-726201/47D-144301 as to which Printing Press have printed the above said Currency Notes and supplied to R.B.I. And who was the Governor of R.B.I. During that time.

v. That if same department and same officer has given the different information under the RTI regarding number of currency notes in circulation but as per both the information when the petitioner has calculated then it is very much clear that there is difference of 4,54,52,97,000 number of pieces, as per the information if the RBI has not received that much number of currency from the printing presses then from where the RBI shows this data.

vi. That if the Bank has declared any note as fake note in that event also who is liable and responsible for the consequences of the same and RBI is not having any details pertaining to the said Fake Notes and other details which shows that who has issued the notes and whether RBI is having proper machinery to know how these notes are fake notes.

vii. That three printing presses i.e. CNP, BNP and BRBNMPL provided the information and if the same is compared with the information received by the RBI then despite of less printing of currency notes how RBI has received the excess notes and in some other cases why RBI does not receive the notes as per notes supplied by three printing presses to RBI.

viii. That who is bearing the expenses/cost on printing of notes printed by the Currency Note Press, Nahik, Bank Note Press Dewas (unit of SPMCIL viz BRBNMPL as RBI is silent about the expenses incurred by the Printing Presses.

ix. That as per the information if the said information is calculated in that event it is crystal clear that cost of printing the per piece is between Rs. 1.15 to 1.76/- which is neither admissible nor desirable in the eyes of law.

x. That as per the information RBI has circulated 69 billion of notes which is in circulation but if the same is compared with the notes supplied to RBI by three printing presses and soiled note disposed by RBI then it reveals that only 26,46,27,03,000 notes in circulation then what about the status of the remaining notes circulated by RBI.

xi. That 10 Colour offset machines were sold to three different firms namely (1) M/s. Flexible Packing Industries, Ambad, Nashik. (2) M/s. Anupan Impressions, Amrawal, and (3) M/s. Prabhakar Brothers, Nagpur, under only one tender i.e. Tender No. 20/95 dated 06/06/1995 then how 16 Offset colour Machines were sold for Rs.12,49,800/-.

xii. That how much gold was given to each countries, abroad, during 10.1.1990 to 6.3.1991 during the regiem of P.M. Late Shri Chandrashekhar and how much gold have been mentioned.

xiii. That R.B.I. has purchased **200 metric tons** of gold valued to **Rs.3,14,62,88,45,334/-** by I.M.F. (International Monetary Fund).

xiv. That information with regard to the countries from which India and Government of India has purchased gold is not available with RBI.

xv. That petitioner sought the information from bank for one day transaction i.e. 26.12.2012 balance with the bank and even bank has given reply that “the Information is not complied by the department and hence not available.

c. That this Hon'ble Court be pleased to issue Writ of Mandamus or any other appropriate writ or direction in the nature of mandamus to file the reply and contentions of respondents on the issues raised by the petitioner before this Hon'ble Court.

d. That this Hon'ble Court be pleased to issue Writ of Mandamus or any other appropriate writ or direction in the nature of mandamus to appoint an independent investigating agency as this Hon'ble Court may deem fit and proper to investigate the issues raised by the petitioner and submit the report before this Hon'ble Court.

e. That this Hon'ble Court be pleased to issue Writ of Mandamus or any other appropriate writ or direction in the nature of mandamus to appoint an independent investigating agency and after investigation if the respondents found guilty then suggestions be called from the investigating agency and as per the suggestions, the direction be given to respondents for its implementation."

2. By order dated 1st July, 2016, this Court had observed as under:

"1. On last two dates Mr. Punit Shukla instructed by M/s. MKS Legal Associates argued this PIL. When we made it very clear to him that we are not inclined to entertain this PIL, he sought time to take instructions obviously as regards withdrawal. Today, the learned counsel is not present. Another counsel appears and states that the Petitioner has instructed the Advocate on record to take discharge. The law on this aspect is very clear in a matter which is substantially argued by an Advocate, discharge cannot be granted to him as a matter of right. It is the discretion of the Court. Therefore, we decline to grant prayer for discharging the Advocate. As the counsel who argued this Petition is not present, place the Petition high upon board on the next Friday i.e. 8^{th} July, 2016.

3. The learned counsel for the Petitioner submits that the Senior Counsel, who is appearing in the matter is not available today and, therefore, he seeks time.

4. We are not inclined to give adjournment. Looking at the reliefs claimed in the petition, there is no public interest involved in this matter. We are, therefore, not inclined to convert this petition into PIL. Hence petition/ PIL is dismissed. Amount deposited by the Petitioner be refunded as per rules. Chamber Summons (L) No. 246 of 2016 for carry out the amendment and Chamber Summons (L) No. 271 of 2016 for intervention filed in PIL do not survive and are accordingly disposed of.

SMT. SWAPNA S. JOSHI, J. ***V.M. KANADE, J.***

Vaishali Tikam