

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO.170 OF 2016**

Hari Chand

...Petitioner

Versus

Union of India & Ors.

...Respondents

...

Mr. Anil Kumar Tripathi i/b. Mr. Prem Kumar Pandey for
Petitioner.

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

DATED: 15th NOVEMBER, 2016.

P. C. :

Heard the learned counsel appearing for the Petitioner. Prayers

(a) and (b) of the petition reads thus:

“(a) This Hon'ble Court be pleased to issue a writ on mandamus or any other order or direction in the nature of writ of mandamus by Respondent No.1 to redress the Petitioner's grievances by revoking/withdrawing the license issued by Respondent No.1 to Respondent No.2 for statutory default committed by it.

(b) This Hon'ble Court be pleased to issue a writ of Mandamus or any other order or direction in the nature of writ of Mandamus directing Respondent No.1 to issue appropriate order/ direction to Respondent Nos.2 & 3 for compliance of Petitioner's legal notice dated 4th July, 2015.”

2. The learned counsel appearing for the Petitioner states that by prayer (a), he is seeking an action in accordance with Rule 6 of the Merchant Shipping (Recruitment and Placement of Seafarers) Rules, 2005 (in short

“the said Rules”). However, we find that the Petitioner has not made any representation to the authority empowered to take action under Rule 6 of the said Rules.

3. As far as prayer (b) is concerned, we see that no powers have been vested in the First Respondent-Union of India to direct the Second and Third Respondents, to make compliance with the legal notice issued by the Petitioner on 4th July, 2015.

4. Hence, we decline to interfere in this petition under Article 226 of the Constitution of India. The petition is disposed of.

5. Disposal of this petition will not prevent the Petitioner from making appropriate representation to the concerned authority seeking action under Rule 6 of the said Rules. All contentions are kept open.

(ANUJA PRABHUDESSAI, J.)

(A.S. OKA, J.)