

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.677 OF 2017
IN
WRIT PETITION NO.6389 OF 2015**

Mahesh Harishchandra Mohite

..Applicant

Vs.

State of Maharashtra & Ors

..Respondents

Mr. S. R. Pawar for the Applicant

Mr. G. S. Hiranandani i/b Mr. C. G. Gavnekar for the Respondent No.3

Mr. R. S. Sawant AAGP for the Respondent Nos.1 and 2 State

Ms Jaya Bagwe i/b Ms Sharmila Deshmukh for the Respondent No.5

CORAM :R. M. SAVANT, &

A.S. GADKARI, JJ

DATE : 20th DECEMBER, 2017

(IN CHAMBER AT 2.45 P.M.)

P.C.

1 The above Civil Application has been filed for modification of the order dated 17-2-2017 passed by a Division Bench of this Court R. M. Borde and A. S. Gadkari JJ. The modification is sought to the extent of the Petitioner being permitted to file an undertaking as per the Public Interest Litigation Rules instead of the deposit of Rs.1 lakh as directed by the said order dated 17-2-2017.

2 Having regard to the fact that the Division Bench has deemed it appropriate to direct the Petitioner to deposit an amount of Rs.1 lakh in this

Court to prosecute the above Writ Petition as a Public Interest Litigation and thereby exercised discretion in a particular manner. We do not deem it appropriate to interfere with the said discretion by modifying the said order at this point of time. The above Civil Application is accordingly rejected.

[A. S. GADKARI, J]

[R.M.SAVANT, J]