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IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

PUBLIC INTEREST LITIGATION NO.194 OF 2016

|                                                      |                |
|------------------------------------------------------|----------------|
| Dattaram V. Shinde                                   | ...Petitioner  |
| V/s.                                                 |                |
| Maharashtra Maritime Board,<br>through C.E.O. & Ors. | ...Respondents |

Mr.Surel Shah for Petitioner.

Mr.P.G. Sawant, A.G.P. for Respondent – State.

Mr.Dattaram Shinde – Petitioner No.1 present in person.

**CORAM : DR.MANJULA CHELLUR, C.J. &  
N.M. JAMDAR, J.  
DATE : 6TH OCTOBER, 2017**

**P.C. :-**

1. The present public interest litigation pertains to a contract said to have been granted for development of one of non-major port i.e. Redi port. There were two petitioners initially pursuing the public interest litigation. On 15<sup>th</sup> September, 2017, after verifying the contents of the petition, we found that the father of the second petitioner's land was acquired for purpose of development of road in connection with the port and the land acquisition matter was pending in that connection. Therefore, we deleted the name of the second petitioner from the proceedings and we intended to verify the *bonafides* for pursuing the public

interest litigation by the first petitioner. Therefore, we directed the first petitioner to be present before this Court in order to understand his *bonafides* in pursuing the matter as pro bono publico. On questing the first petitioner, who is present before the Court, he submits that he has not read the paper which one is in English and nothing was translated to him in Marathi. He has narrated the cause raised in the public interest litigation and in all probability, except saying that some money has to be paid by the contractor, he is not able to answer any of the questions and he has no knowledge of what the documents contained.

2. On the contrary, the first petitioner has verified the affidavit declaring that he has understood the case and he has given the information and whatever is stated is true and correct to the best of his knowledge. The statement before the Court by the first petitioner clearly indicates that he is merely a name lender for the second petitioner. He then admits that all the documents were furnished to him by the second petitioner.

3. Under the above circumstances, it is nothing but an abuse of the process of law in approaching the Court in filing reckless and frivolous public interest litigation wasting judicial time of the Court. By spending time on this frivolous matter, pressure on the judiciary has increased which could have been spent on real and serious litigation.

4. For the above reasons, we dismiss the public interest litigation with costs of Rs.5,00,000/- to be deposited by the first petitioner within a period of eight weeks to the Maharashtra State Legal Services Authority. In case of non-compliance of depositing the same, the same shall be recovered as a land revenue from the first petitioner.

**(N.M. JAMDAR, J.)**

**(CHIEF JUSTICE)**