

DDR

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 10480 OF 2017

Mahesh Mukund Chaudhari .. Petitioner
Vs.
Ministry of Environment and Forests
& ors. .. Respondents

.....
Mr. Arun Berry for the petitioner.

Mr. Parag Vyas a/w. Pranil Sonawane for the respondent No.1 –
UOI.

Ms.Nisha Mehra, AGP for respondent Nos. 3 and 6.

Ms. Sharmila Deshmukh for respondent No.4.

Mr. A.S. Rao for respondent No.5.

Mr. P.K. Dhakephalkar, Senior Advocate I/b. Prashant Kamble
for respondent Nos. 7 to 9.

.....
**CORAM : NARESH H. PATIL, C.J. &
M.S. KARNIK, J.**

DATE : 20th DECEMBER, 2018

P.C. :

The petitioner raises issues concerning the
respondent No.7 – M/s. Sky Lab Analytical Laboratory which has
been recognized by the respondent Nos. 1 and 4.

2. Learned Counsel appearing for the petitioner submits that the petitioner raises several issues in this Petition which need to be looked into.

3. Shri Dhakephalkar, learned Senior Counsel appearing for the respondent Nos. 7 to 9 submits that this Petition is not maintainable on the following preliminary grounds :

(a) The petitioner is personally aggrieved and interested in the outcome of the Petition. The writ remedy cannot be availed to settle personal scores.

(b) The Petitioner was associated with respondent No. 7 and worked with them in a joint venture as a Channel Partner from February, 2015 to November, 2015.

(c) The petitioner was terminated on account of some allegations. FIR came to be filed against the petitioner and a charge-sheet has been filed by the Police.

4. In this context, the learned Senior Counsel submits that on these grounds alone the Petition need not be entertained, reserving the right to explain their case as and when this Court directs the respondents to do so.

5. Learned Counsel for the respondent No.4 submits that the petitioner has no locus. The respondent No.4 has also confirmed that there is a report that the Lab complies with all the conditions.

6. We have heard the learned Counsel for the respective parties on the preliminary issues. They have objected to the maintainability of the Petition.

7. We are informed that the petitioner was in service of respondent No.7 for some time. There is dispute between the parties as to whether the petitioner left the job or was dismissed from service. It is also submitted that the criminal case was lodged against the petitioner wherein a charge-sheet came to be filed. The petitioner now says there are issues which need to be looked into, as according to the petitioner the establishment (Laboratory) is running contrary to the mandate of law.

8. Considering the nature of issues raised and the submissions advanced, we are not inclined to entertain the cause of the petitioner in the present Petition in exercise of writ jurisdiction. However, the petitioner may resort to an appropriate remedy as permissible in law if so advised.

9. The Petition is disposed of.

(M.S. KARNIK, J.)

(CHIEF JUSTICE)