

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

939 PUBLIC INTEREST LITIGATION NO. 39 OF 2019

RAMKISAN BABURAO GARJE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. Mukund D. Gitte
AGP for Respondents : Mrs. A.V. Gondhalekar
.....

**CORAM : PRASANNA B. VARALE &
NITIN W. SAMBRE, JJ.
DATED: 14th MARCH, 2019**

PER COURT:-

On perusal of the contents of this Public Interest Litigation and on hearing the learned counsel for the petitioner, we are of the opinion that this Public Interest Litigation proceeds on assumptions and presumptions based on certain material collected taking recourse to the information available on Internet. Conclusion is drawn by the petitioner himself that the purchase system through the Government Resolution dated 14.11.2018 of the machineries for Laboratory Services, CT-Scan Services and Radiology Services under the "Free Diagnostic Scheme" is causing loss to the State Government and the earlier system of the State Government under the popular nomenclature "Public Private Partnership" was better than the system of purchasing the machines as stated above. There is nothing on record to show that such impression of the petitioner is

supported by any expert's opinion or otherwise. It is also not the case that the State Government is prohibited or prevented from adopting the procedure of purchase of machineries from open market, with available resources from the market which the State Government can commercially exploit. For the aforesaid reasons, we are not at all inclined to entertain this Public Interest Litigation. The Public Interest Litigation, thus being thoroughly devoid of merits, is dismissed at the threshold and the same is accordingly disposed of.

(NITIN W. SAMBRE, J.)

(PRASANNA B. VARALE, J.)

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