

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Amk

PUBLIC INTEREST LITIGATION NO. 54 OF 2019

Bhaskar Mangal Gadge

.. Petitioner

Vs.

Union of India & Ors.

.. Respondents

Mr. Vijayprakash Yadav for the Petitioner.

Mr. A. R. Varma a/w. Mr. Y. R. Mishra for Respondent No.1-UOI.

Mr. Rakesh L. Singh i/b M. V. Kini & Co. for Respondent No.3-NHAI.

**CORAM : PRADEEP NANDRAJOG, C.J. &
N. M. JAMDAR, J.**

DATE : 21st JUNE, 2019.

P. C. :

1. Heard learned Counsel for the Petitioner and Respondent No.1.
2. The Public Interest Litigation is being disposed of without calling for any pleading from the Respondents.
3. The Petitioner is a busy body. He claims to espouse a public cause on the premise that Public Interest Litigation No. 179 of 2014 filed by him which was disposed of by a Division Bench of this Court on September 1, 2016 required the 1st and 3rd Respondents herein to consider the representation made by the Petitioner in accordance with law. The Petitioner obtained documents under R.T.I. concerning Tender No. B-1/S.E.-01, Tender No. B-1/487 and Tender No.B-1/HO/213. With respect to the information he made two representations on 10.10.2013 pertaining to the first two tenders and a

representation dated 24.12.2013 pertaining to the third tender. The representations being not dealt with, a Public Interest Litigation was filed which was disposed of on September 1, 2016 requiring a decision to be taken on the representation. After the Public Interest Litigation was disposed of, on 02.01.2017 the Petitioner simply wrote a letter to the Respondents enclosing a copy of the order dated 01.09.2016 passed by the Division Bench of this Court.

4. Grievance in the instant Public Interest Litigation is to the representations not being decided.

5. Before we burden the executive to decide a representation we must be satisfied that the representations contained adequate particulars which need to be dealt with. We have perused the three representations dated 10.10.2013 and 24.12.2013. They are general in nature. Conclusions are stated that for work not done payments were released. In what manner the Petitioner alleges work not being done? In what manner the measurement book does not record work done but payment being made? No particulars has been mentioned. Therefore, we issue no mandamus for the reasons unless the Petitioner does a proper research and with reference to the documents which he possesses makes an actionable representation, the authority to which the representation is made cannot be burdened with the responsibility to decide the representations. The Public Interest Litigation is dismissed.

[N. M. JAMDAR, J.]

[CHIEF JUSTICE]