

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Amk

PUBLIC INTEREST LITIGATION NO. 82 OF 2006

Parent's Association of Medical Students,

Maharashtra

.. Petitioner

Vs.

Director General of Income-Tax (INV) Pune & Ors. .. Respondents

Mr. L. M. Acharya for the Petitioner.

Mr. Nisha Mehra, AGP for Respondent Nos.3 & 18.

Mr. Ganesh Gole for Respondent No.6-MCI.

Mr. Prabhakar Jadhav i/b Mr. V. P. Sawant for Respondent Nos.11 & 12.

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

DATE : 7th JUNE, 2019.

P.C. :

1. Case pleaded in the Public Interest Petitions is that Respondent Nos.7 to 18 are Trusts which have established medical colleges. Some of them are affiliated to State Universities and some of them have independent status of deemed universities. It is pleaded that in the month of July-August, 2005 Income Tax Department conducted raids and recovered incriminating documents showing money laundering and tax evasion. It is pleaded that from the documents seized siphoning of funds emerged. Grievance is to the Income Tax Department not taking

the raids to their logical conclusion and to the continued approval to the private Respondents to continue education in the field of medicines and the deemed Universities status granted to Respondent Nos.7 to 18.

2. The response filed by the Income Tax Authority brings out that after the raids were conducted, the documents seized were processed, notices required were issued and assessment order was passed concerning the private Respondents. Response filed to the right to continue to impart education is that after evaluating the infrastructure available and as per policy, it being found that the entitlement for grant of deemed Universities status was as per law.

3. To the counter affidavits which were filed way back in the year 2007, no rejoinder has been filed by the Petitioner.

4. A Public Interest Litigation cannot be pursued at the pleasure of the Petitioner and thus keeping in view the reply we terminate the Public Interest Petitions by discharging the notice.

5. Public Interest Petition is disposed of accordingly.

[N. M. JAMDAR, J.]

[CHIEF JUSTICE]