

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

*Amk*

PUBLIC INTEREST LITIGATION NO. 177 OF 2014

Dr. Kumar Chimegave

.. Petitioner

Vs.

The State of Maharashtra & Ors.

.. Respondents

Mr. K. S. Bapat i/b Mr. Pralhad D. Paranjape for the Petitioner.

Mr. P. P. Kakade, GP a/w. Ms. Nisha Mehra, AGP for Respondent No.1 - State.

Ms. Sirisha Kurada i/b Mr. S. V. Marne for Respondent No.3-NMMC.

Mr. Mandar Bangale i/b The Law Point for Respondent No.2.

Mr. P. V. Damodaran for Respondent No.4.

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

**DATE : 21<sup>st</sup> JUNE, 2019.**

**P. C. :**

1. When asked as to what are grievances of the Petitioner concerning allotment of the subject land by Respondent No.2 to Respondent No.4, learned Counsel for the Petitioner states that the grievance is two fold. First is that the policy of disposal of land envisaged maximum 2000 sq. mtrs. land to be allotted to public charitable trust engaged in spiritual activities and second to the price chargeable being 50% of the reserved price.

2. Pertaining to the first grievance, we find actionable averments made but pertaining to the second, we do not find actionable averments made.

3. Learned Counsel for the Petitioner seeks leave to withdraw the Public Interest Litigation and file a properly drafted Public Interest Litigation making actionable pleadings.

4. Granting permission to the Petitioner to file a fresh Public Interest Litigation on the same cause of action with the same prayers but after making actionable pleadings, we disposed of the instant Public Interest Litigation as not pressed.

**[N. M. JAMDAR, J.]**

**[CHIEF JUSTICE]**