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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUO MOTU PUBLIC INTEREST LITIGATION (LDG.) NO.1 OF 2018

High Court on its own Motion
V/s.
State of Maharashtra & Anr.

...Petitioner
...Respondents

Mr.Abhay Patki, A.G.P. for the State – Respondent No.1.

CORAM : PRADEEP NANDRAJOG, C.J. &
N.M. JAMDAR, J.
DATE : 18TH APRIL, 2019.

P.C. :-

1. We have read the letter dated 23rd August, 2018 which has been placed before the Division Bench for the purpose of initiating *suo-motu* proceedings against Swabhimani Shetkari Sanghatna. As per the letter, the persons engaged in husbandry and producing milk were agitating demanding increase in the price of milk. The letter informs that the members of the Swabhimani Shetkari Sanghatna destroyed the milk which was to be sold in the market and the income thereof distributed to the producer. The letter states that the distribution of the milk is loss to the common man.

2. In our opinion, the right to dissent and protest would include the right to throw the milk belonging to an individual by the individual himself or an association if the said act is to draw attention of the public to the plight of the producer. The letter does not state that the Swabhimani Shetkari Sanghatna destroyed the milk inspite of produces of the milk not so agreeing. The right to protest and lodge one's dissent in a democratic society cannot be strappled. Though there may be merit in the point that destruction of a food product is not desirable but this should be left to the decision of the owner of the food product.

3. The letter be consigned to the record room.

(N.M. JAMDAR, J.)

(CHIEF JUSTICE)