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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

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Date of Decision: 16th October, 2019

+ W.P.(C) 10453/2019

ANYAY VIRODHI MORCHA (REGD.) Petitioner
Through: Mr.Prashant Ranjan, Adv.

Versus

FOOD CORPORATION OF INDIA AND ANR. Respondents
Through: Mr.Manoj, Adv. with Ms.Aparna
Sinha, Adv. for R-1.
Ms.Richa Dhawan, ASC for SDMC.

CORAM:
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE C.HARI SHANKAR

JUDGMENT

: **D.N. PATEL, Chief Justice (Oral)**

C.M.No.43201/2019 (exemptions)

Allowed, subject to all just exceptions.

W.P.(C) 10453/2019 & C.M.No.43202/2019 (stay)

1. This so-called public interest litigation has been preferred with the following prayers:-

“a. Direct the Respondent No. 1 and 2 to lodge FIR for cheating and forgery against the above vehicle owners have registration number DL1GC1165, DL1GC1599; DL1GC2456; DL1GC6670; DL1GC6671; DL1GC6681

and DL1GC6682 as well as against owner of M/S Sanjay Flour Mills namely Sh. Sanjay Gupta;

- b. The respondents No.1 and 2 be further directed to ensure that the above vehicles should not work at FCI godown for lifting of goods in future;”*

2. Having heard the learned counsel for both the parties and looking to the facts and circumstances of the case, it appears that this is not a public interest litigation at all but is absolutely a private interest litigation and all kinds of allegations are made against private persons and without joining them as party respondents, the present writ petition has been filed.

3. It appears from the facts of the case that the petitioner has several grievances about the vehicles which are being used by the respondent No.1 for transportation of the food grains from FCI godowns and wants an FIR to be registered for cheating and forgery against private persons who are the owner of these vehicles.

4. We are not inclined to entertain this type of writ petition because this is not a public interest litigation. In fact it is a private interest litigation. Moreover, because the petitioner can always file a complaint for registration of FIR against the private persons for the alleged cheating and forgery as narrated in the memo of this petition. The petitioner had earlier preferred a writ petition being W.P.(C) No.514/2017 which was disposed of vide order dated 6th December, 2017 by this Court with direction to the respondents to ensure strict compliance with the requirements of Section 113 of the Motor Vehicle Act, 1988 and Rule 90(7) of the Central Motor Vehicle Rules, 1989.

5. Hence this writ petition is misconceived and, therefore, the same is dismissed with costs of Rs.10,000/- to be deposited with Delhi State Legal

Services Authority. Pending application also stands dismissed.

6. A copy of this order be sent to the Member Secretary, Delhi State Legal Services Authority.

CHIEF JUSTICE

C.HARI SHANKAR, J

OCTOBER 16, 2019
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