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

Date of decision: 24th December, 2019

+ W.P.(C) 13784/2019 and CM No.55440/2019

RAJEEV AGARWAL

..... Petitioner

Through: Mr. V.P. Sharma, Mr. Rahul Rathore
and Mr. Santosh Kumar Sahu, Advs.

versus

UNION OF INDIA AND ORS.

..... Respondents

Through: Mrs. Suparna Srivastava, Mr. Tushar
Mathur and Ms. Nehul Sharma, Advs. for R-1
Mr. Vierat K. Anand, Ms. Srishty Kaur and Ms.
Angna Dewan, Advs. for R-2
Mr. Rajshekhar Rao, Mr. Ankush Bhardwaj and
Mr. Gaurav Sansanwal, Advs.

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER

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24.12.2019

D.N. PATEL, CHIEF JUSTICE (ORAL)

CM No. 55440/2019 (exemption)

1. Allowed subject to all just exceptions.
2. The application is disposed of.

W.P.(C) 13784/2019

1. This so called Public Interest Litigation has been preferred with the following prayers :

“I. Issue a writ of mandamus and/or any other appropriate writ directing the Respondent No. 1 to order an investigation in the functioning of the Delhi Duty Free Shops being run by the respondent no. 3 at Indira Gandhi International Airport;

II. Direct the respondent no. 2 to cancel/suspend the license of the respondent no. 3 to operate and manage the Delhi Duty Free Shops at Indira Gandhi International Airport; and

III. Pass such other and further orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of this case.”

2. Having heard learned counsel for the petitioner and looking to the facts and circumstances of the case, we see no reason to entertain this writ petition because it is not a Public Interest Litigation at all. This is absolutely a private interest litigation.

3. Learned counsel appearing for the petitioner submits that when this petitioner came from foreign country to Delhi at IGI International Airport, he had gone to duty free shop at the airport to purchase wine on 17th June, 2019 which cost ₹ 9,740/- and the change was to be given back to the petitioner by the owner of the wine shop was of ₹ 360/-. It is submitted by counsel for the petitioner that instead of returning ₹ 360/-, chocolates were given to him.

4. Thus, it appears that only for ₹ 360/- this petition has been preferred as a Public Interest Litigation. Hence, we see no reason to entertain this writ petition as a public interest litigation.

5. Moreover, looking to the facts of the case also, it appears that there is a private interest of this petitioner. Several grievances have been ventilated

about the nature of the wine shop occupier. Thus, there is no substance in this writ petition and the same is therefore dismissed with costs of ₹ 10,000/- which will be deposited by this petitioner before Principal Secretary, Delhi State Legal Services Authority within a period of six weeks from today.

6. A copy of this order will be sent to the Member Secretary, Delhi State Legal Services Authority, Central Office, Patiala House Courts Complex, New Delhi-110001.

CHIEF JUSTICE

C.HARI SHANKAR, J.

DECEMBER 24, 2019/kr

