

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE**

PUBLIC INTEREST LITIGATION NO.46 OF 2014

Azad Hind Seva Dal

... Petitioner

Vs

State of Maharashtra & Others

... Respondents

None for the Petitioner

Ms.P.J. Gavhane, AGP, for Respondent – State

Mr.Parag Vyas with D.P. Singh and Ms.Karuna yuadav for
Respondent – Union of India

Mr.S.P. Salvi h/f S.V. Marne for Respondent No.5

Ms.Shital Mane for MCGM

**CORAM: S.C. DHARMADHIKARI &
R.I. CHAGLA, JJ.**

DATED: FEBRUARY 6, 2020

P.C.:

1. The Public Interest Litigation Petitioner is aware that this Public Interest Litigation filed on 27.11.2013 is being listed on Board continuously after the initial order of 24.6.2014. Though this matter was listed on 7.8.2014, the advocate for the petitioner and the petitioner were not present on that day. Thereafter, the matter

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S. Sherla

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was listed before the Registrar (Judicial) so as to enable him to report to the Court that service is complete. After that, the matter has repeatedly been listed before the Division Benches of this Court but no attempt has been made beyond 27.9.2016 to argue it. On 27.9.2016, the following order was passed:

“1. Issue notice before admission R/o. 25.10.2016. Learned AGP Mr. N. C. Walimbe waives service of notice for Respondent Nos.1, 3, 4 and 6. Learned counsel Mr. Sandeep Marne waives service of notice for Respondent No. 5 and Mr. Rui Rodrigues waives service of notice for Respondent No. 2. We are informed that all the respondents are served. Respondents to file their reply within three weeks. S.O. to 25th October, 2016.

2. Leave to amend is granted.”

2. Post that order, we have not seen any interest being evinced by the petitioner or his advocate. Today also, they are absent and we have no assistance in order to decide the issue raised in the Public Interest Litigation.

3. Keeping that issue or question open for being considered in an appropriate case at the instance of a public spirited citizen other than the present PIL petitioner, this PIL is disposed off.

(R.I. CHAGLA, J.)

(S.C. DHARMADHIKARI, J.)