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

PUBLIC INTEREST LITIGATION NO. 70 OF 2021

Sandeep Dnyanoba Undre	.. Petitioner
Vs.	
State of Maharashtra & Ors.	.. Respondents

Mr. Sandeep M. Phatak for petitioner.
Mr. P. P. Kakade, Government Pleader with Ms. R. A. Salunkhe,
AGP for State.

**CORAM: DIPANKAR DATTA, CJ &
G. S. KULKARNI, J.**

DATE: OCTOBER 25, 2021

PC:

1. The petitioner complains of forgery of Gram Panchayat records which has ultimately resulted in a particular Trust being divested of its property. It is admitted at the bar that the petitioner is a tax payer and resident of the relevant Gram Panchayat; however, despite being aware of *prima facie* fabrication of documents, he has not lodged any criminal complaint pertaining to commission of cognizable offence. That apart, the Trust which is said to have been divested of its property by the alleged fabrication of records has a remedy under the law to seek appropriate declaration and consequential relief before the Civil Court.

2. Law is well settled that when the interests of affected parties can be protected and the controversy or dispute can be

adjudicated by a mechanism created under a particular statute, such party should be relegated to the appropriate forum instead of entertaining a public interest litigation. The decision reported in (2014) 5 SCC 530 (Jaipur Shahr Hindu Vikas Samiti vs. State of Rajasthan) may be profitably relied on in this connection.

3. This Public Interest Litigation is misconceived and, accordingly, stands dismissed. No costs.

(G. S. KULKARNI, J.)

(CHIEF JUSTICE)

PRAVIN
DASHARATH
PANDIT

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PANDIT
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