

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
NAGPUR BENCH : NAGPUR

Public Interest Litigation (PIL) No. 29/2020

Vilas s/o Dattatraya Gurnule

...Petitioner

**Versus**

State of Maharashtra and ors.

...Respondents

Shri R.S. Kurekar, Advocate for the Petitioner

Mrs. K.S. Joshi, Incharge GP for the Respondent Nos. 1 to 3 and 7 - State

Shri N.B. Kalwaghe, Advocate for Respondent No. 4

Shri J.B. Kasat, Advocate for Respondent No. 5

**CORAM : NITIN JAMDAR AND  
ANIL S. KILOR, JJ.**

**DATED : 24 FEBRUARY 2021**

**P.C.:**

As it is settled that before the process in public interest is initiated, the Court should ensure that the Court process is not abused and the cause is genuine. For that purpose, the Court scrutinizes the bonafides of the Petitioner who seeks to initiate the Court process in public interest. One of the safeguard in that regard is an undertaking that the Petitioner will disclose the source of his information. Keeping that in mind, on 13 January 2021, we had passed the following order:

*“The petitioner has annexed various documents to this petition, which are not addressed to him, but are inter-departmental correspondence.*

- 2) *Shri Kurekar, learned Counsel for the Petitioner, seeks time to file an additional affidavit disclosing how the Petitioner came in possession of these documents.*
- 3) *Stand over to 3 February 2021.”*

An additional affidavit is filed, wherein the explanation as sought to be given that the Petitioner being resident of the village, he was given copies of these documents by the Gram Panchayat.

2. We are not being shown any position of law where official documents are given merely for asking to anyone. None of the documents have endorsement that they have been issued under the *Right to Information Act, 2005*. The documents were secured perhaps for reason other than public interest. The Petitioner is not being candid with the Court.

3. Having serious doubt about the bonafides of the Petitioner, we refused to initiate any further proceedings at the instance of the Petitioner.

4. The Petition is disposed of.

[ANIL S. KILOR, J.]

[NITIN JAMDAR, J.]