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

+ **W.P.(C) 5117/2021**

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Decided on: 3rd May, 2021

PRATYUSH PRASANNA & ANR.

..... Petitioners

Through: Mr.Anshul Syal, Adv. with Petitioner
in person.

Versus

STATE OF NCT OF DELHI

..... Respondent

Through: Mr.Santosh K.Tripathi, Standing
Counsel with Mr.Aditya P.Khanna, Mr.Shashank
Tiwari, Advs.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE JASMEET SINGH

JUDGMENT

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

Proceedings in the matter have been conducted through video conferencing.

C.M.No.15680-81/2021 (exemptions)

For the reasons stated in the applications and in view of the present prevailing situation, the present applications are allowed subject to just exceptions. However, the applicant is directed to file duly signed and affirmed affidavits within a period of one week from the date of resumption of regular functioning of the Court.

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The applications are disposed of.

W.P.(C) No.5117/2021 & C.Ms.No.15682-83/2021

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

- “i. Direct the Respondent to give clarification regarding amount collected in the Lieutenant Governor/Chief Minister Relief Fund for COVID-19 relief and details of the expenditures made thereof;
- ii. Direct a thorough court monitored investigation into siphoning off funds donated by the public in the Lieutenant Governor/Chief Minister Relief Fund for COVID-19 relief for other purposes;
- iii. Issue a writ of Mandamus directing the State of NCT of Delhi to immediately stop advertising regarding their achievements or work carried out by the Government on various news channels/media houses/newspapers or in any other manner and not waste public money during pandemic/health emergency;
- iv. Issue directions take into control the finances, at least the amount earmarked for covid-19 relief fund and advertising be deposited in court so that this court should utilize the same for emergency and health services to utilize; and
- v. Pass such other order/s as deemed fit to meet the ends of justice.”

2. The learned counsel for the petitioner submitted that they are not pressing prayers (iii), (iv) and (v) and only prayers (i) and (ii) are pressed.

3. It is submitted by the learned counsel for the petitioner that the respondents are misusing the fund as stated in the memo of the writ petition. The petitioner is under apprehension that the respondents are siphoning away the public money. It is further submitted by the counsel for the

petitioner that looking to Annexure P-4 which is a 'tweet' by somebody else on 'twitter', this petitioner is under apprehension that respondents are misusing the public money.

4. Having heard the learned counsel for the petitioner and looking to the facts and circumstances of the case, it appears that this is not a public interest litigation at all, **but a publicity interest litigation**. Moreover, looking to Annexure P-4 upon which reliance has been placed by the petitioner, for filing the writ petition is nothing but a 'tweet' by somebody else on 'twitter'. This type of allegation is fully misconceived and baseless and only made with a view to create sensation and to get publicity.

5. When we raised a query as to whether this petitioner has ever gathered information under the Right to Information Act, 2005, the answer given by the learned counsel for the petitioner was that he has never applied for information under the RTI Act regarding any details about the fund in question much less for the misuse of the fund in question. Thus, it appears that without doing any homework, this petition has been preferred. The petitioner has solely relied upon tweet of somebody else to put allegations against the respondents that they are misusing the public fund.

6. Learned Standing Counsel appearing for the respondent submitted that in the light of Lieutenant Governor/Chief Minister's Relief Fund (Regulation of Income and Expenditure) Rules, 1994, the fund in question cannot be utilized for the advertisement.

7. Hence, we see no reason to entertain this writ petition. The same is accordingly dismissed with costs of Rs.50,000/- to be deposited by the petitioner with the Delhi State Legal Service Authority within four weeks from today. The aforesaid amount shall be utilized for the programme

‘Access to Justice’.

8. A copy of this order be sent forthwith to the Member Secretary, Delhi State Legal Services Authority, Patiala House Courts, New Delhi.
9. All the pending applications are also disposed of.

CHIEF JUSTICE

JASMEET SINGH, J

MAY 03, 2021
‘anb’

