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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 1271 OF 2019**

Gani Abdul Shaikh ...Petitioner
Versus
State of Maharashtra Through Government ...Respondents
Pleaser And Ors

Mr Mihir S Raje, for the Petitioner.
Mr PG Sawant, AGP, for Respondent No.1.

**CORAM G.S. Patel &
 Madhav J. Jamdar, JJ.**
DATED: 8th March 2022

PC:-

1. The Petitioner complaints that an Army license was illegally obtained by the 3rd Respondent, another individual. The Petitioner is a member of a Rifle Club affiliated to the Maharashtra Rifle Association. He is also a representative of the Pune Rifle Association and claims to be the President of that Association.

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2. According to the Petitioner, Respondent No. 3 is allegedly taking “undue advantage” of the Arjun Award conferred on the 3rd Respondent. This is not something that can be examined in a Writ Petition.

3. Paragraph 2 says that the 3rd Respondent is pressuring the Government for illegal games. Again, this is straightaway a reason to reject the Petition. If the Petitioner has a cause of action in tort, he is at liberty to pursue that remedy.

4. According to the Petitioner, he made a complaint and a notice was issued, a copy of which is at page 72. Written notes of arguments were filed. These are at page 77. But there is been no action by the 2nd Respondent. The prayer is that the 2nd Respondent should be directed to decide the Petitioner's application dated 15th November 2017.

5. We are not inclined to make any such direction. It is not at all clear what possible interest the Petitioner has in any license obtained by the 3rd Respondent. We do not know whether the Petitioner is pursuing some social service cause and filing this Petition for some undefined and unspecified perceived greater good. This is not the basis on which the Writ Petition can be sustained. If there is an illegality committed by the 3rd Respondent, there is no doubt that the licensing authority, the 2nd Respondent will take such necessary steps to ensure compliance with any application. This need not be done at the instance of the Petitioner. The Petitioner lays no claim to any infringement of any legal or constitutional right that vests in him, nor is he able to point out that the 2nd Respondent owes the Petitioner any legal duty.

6. The Petition is rejected.

7. There will be no order as to costs.

(Madhav J. Jamdar, J)

(G. S. Patel, J)