

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

PUBLIC INTEREST LITIGATION NO.13 OF 2023

**NATTU BHIKA CHAUDHARI
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY AND
OTHERS**

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Mr. R. A. Jaiswal, Advocate for Petitioner
Mr. V. M. Kagne, AGP for the State

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**CORAM : RAVINDRA V. GHUGE AND
Y. G. KHOBRAGADE, JJ.**

DATE : 14.07.2023

PER COURT :-

1. After we heard this matter for quite some time and noticed that this petition smacks of a personal vendetta between the petitioner and a person by name Maruti Bhaskar Kale, that we informed the learned Advocate for the petitioner that if we conclude that this petition is not in public interest, but is in private interest, we would impost costs. The learned Advocate for the petitioner accepted this situation and continued to argue. He was, therefore, heard at length.

2. We find from the pleadings set out in the petition and the documents annexed, which is styled as a Public Interest Litigation, as under:-

(a) The petitioner had first approached the District Collector on 17.12.2021 making serious personal allegations against a person, namely, Maruti Bhaskar Kale.

(b) In the said complaint, he has mentioned the names of 20 persons, contending that they are the members of the family of Maruti Bhaskar Kale and all of them have illegally and surreptitiously acquired possession of 20 different plots of land and have constructed about 10 to 15 houses.

(c) In the said representation, it is said that Maruti Bhaskar Kale has constructed a bungalow worth Rs. 50,00,000/-.

(d) It is further stated that Maruti Bhaskar Kale has diverted a water supply pipeline into his own farm and from 1996-1997 onwards, he is using the said water by depriving the villagers of drinking water.

(e) Maruti Bhaskar Kale is a "Dada" and has created an atmosphere of terror in the village.

(f) Maruti Bhaskar Kale operates a club, which is adjacent to the Samaj Mandir.

(g) Maruti Bhaskar Kale has acted in connivance with Vithoba Keshav Devkar, retired Clerk and has indulged in extortion and grabbing sand worth rupees 5 to 6 lakh. Both are extortionists and continue to extort money from people.

(h) Maruti Bhaskar Kale is a politician.

(i) Another lady whose name is not mentioned, in connivance with Maruti Bhaskar Kale, indulges in extortion.

(j) In a further representation dated 25.04.2022 addressed to the Chief Executive Officer, the Petitioner has put forth 29 complaints with regard to Maruti Bhaskar Kale, his family members and Vithoba Keshav Deokar. These allegations are in the nature of criminal offences allegedly committed by Maruti Bhaskar Kale.

(k) It is further stated that he illegally operates a club and a hotel without any permit and serves liquor.

3. Considering the above, it is apparent that this petition is not filed for a cause in public interest. There appears to be a personal rivalry between the petitioner and Maruti Bhaskar Kale. Moreover, the petitioner has systematically/conspicuously not arrayed Maruti Bhaskar Kale as a respondent. So also, Vithoba Keshav Deokar is not

arrayed as a respondent. In addition, the 20 family members of Maruti Bhaskar Kale, who are also said to have indulged in grabbing lands and plots, are not arrayed as respondents. Considering the above, we are of the view that the time of this Court has been wasted.

4. **This petition is, therefore, rejected** by imposing costs of Rs.25,000/- which the Petitioner shall deposit in this Court on or before 31.07.2023. If not deposited, we would direct the concerned District Collector to recover the same as arrears of land revenue by following the due procedure laid down in law.

5. After the amount is deposited/recovered, registry shall transfer the same to an Orphanage Home i.e. “Shantivan”, Arvi, Tq. Shirur Kasar, District Beed, “Bhavani Vidyarthi Kalyan Pratishthan, Arvi”, (State Bank of India, Branch Shirur (Kasar), Account No.33446000963, IFSC Code: SBIN0005995).

[Y. G. KHOBRADE, J.]

[RAVINDRA V. GHUGE, J.]

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