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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 5464 OF 2018

HK Mishra ...Petitioner
Versus
Union of India & Ors ...Respondents

Mr Hemant Mishra *the Petitioner in Person is present.*
Mr Rui Rodrigues, *with NR Prajapati, for Respondent No.1.*
Mr Mihir Desai, Senior Advocate, *with Devyani Kulkarni, for Respondent No.3.*

CORAM: G.S. Patel &
Neela Gokhale, JJ.
DATED: 13th April 2023

PC:-

1. The Petitioner seeks orders relating to an appointment of Director of the 3rd Respondent, Indian Maritime University. The Petitioner has been on deputation to the University or the institution because of Section 49 of the Indian Maritime University Act, 2008.
2. There are many problems including that there is a challenge to the appointment of Director without joining the Director or Directors in question affected by the relief sought. Second, it is clear that the Petitioner is himself not a person interested in in

appointment as Director. For that reason, this is likely to be a Petition which would be in the nature of Public Interest Litigation. Third, we believe that the Petitioner has a complete remedy before Central Administrative Tribunal and there is certainly no reason for us to exercise writ jurisdiction.

3. To be fair to the Petitioner, we leave it open to the Petitioner to take appropriate proceedings before the Central Administrative Tribunal whether under the Indian Maritime University Act 2008 or otherwise, as he may be advised.

4. The Petition is disposed of in such terms. There will be no order as to costs.

5. We make it clear that we have not expressed our opinion on the merits of the matter. All contentions of the parties are expressly kept open.

(Neela Gokhale, J)

(G. S. Patel, J)