

Jvs.

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**INTERIM APPLICATION NO. 4658 OF 2022
IN
PUBLIC INTEREST LITIGATION NO. 40 OF 2022
WITH
PUBLIC INTEREST LITIGATION NO. 40 OF 2022**

Bharat P. Satra	}	Applicant
In the matter of		
Bharat P. Satra	}	Petitioner
Versus		
State of Maharashtra & Anr.	}	Respondents

Mr. Bharat Satra, applicant/petitioner in-person.

Mr. Abhay L. Patki, Additional Government Pleader for State.

**CORAM: DEVENDRA KUMAR UPADHYAYA, CJ. &
ARIF S. DOCTOR, J.**

DATE: 20th DECEMBER, 2023

P.C.:

1. The petitioner, by moving this interim application, seeks restoration of the PIL petition.

2. The PIL petition was dismissed for non-prosecution by means of an order dated 18th July 2022. We find that the cause shown in the interim application is sufficient. Accordingly, the interim application is allowed in terms of prayer clause (a), which reads as under: -.

"a) Be please, set aside order dated 18.07.2022 and restore this PIL for the justice."

3. The writ petition is, thus, restored to file to its original number.

Public Interest Litigation No. 40 of 2022:

4. This PIL petition has been filed for the following reliefs: -

"a) to intervene in the section 16(g), 16(2), 53, 55(3) and 56(2), 60 of the Maharashtra Rent control Act, 1999, to protect the rights of the tenants at large and provide justice to them by directing to the Respondent for amendment, omission, addition etc.;

b) to interpret in the section 16(g), 16(2), 53, 55(3) and 56(2) of the Maharashtra Rent control Act, 1999, for protect the rights of the tenants and provide justice to the tenants;

c) court may appoint commissions to collect information on facts and present it before the bench to avoid injustice;

d) To pass any directives/orders as deemed fit and proper, in the Public Interest;

e) Petitioner may allow any interim application or correct and amend the petition any time during the hearing of this PIL;

f) For the act of kindness, the petitioner shall ever pray for."

5. From a bare perusal of the prayers made by the petitioner, it is clear that the petition has been filed only for academic purpose as the petitioner calls upon us to interpret certain provisions of the Maharashtra Rent Control Act, 1999 and to further direct the respondents (State) to amend/omit/add in the said provisions of the Maharashtra Rent Control Act, 1999.

6. In absence of any cause of action, if the petitioner calls upon the Court to interpret some piece of legislation, admittedly, the petition would not be maintainable. Further, the petitioner has prayed that the State be directed to make amendments/omissions/additions etc. in the Maharashtra

Rent Control Act, 1999. This, in fact, is impermissible for the Court while exercising its jurisdiction under Article 226 of the Constitution of India. The PIL petition is entirely misconceived. It is hereby dismissed.

JAYANT
VISHWANATH
SALUNKE

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JAYANT
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Date: 2023.12.20
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(ARIF S. DOCTOR, J.)

(CHIEF JUSTICE)