



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 3338 OF 2024

Prashant Manlal Sanghavi

VERSUS

The State Of Maharashtra Through Its Chief Secretary And Others

Mr. G. L. Kedar, Advocate for the Petitioner

Mr. R. S. Wani, AGP for the Respondent/State

**CORAM : RAVINDRA V. GHUGE AND
R. M. JOSHI, JJ.**

DATE : 1st April, 2024

PER COURT :-

1. The Petitioner has put forth prayer clauses 'B' and 'C' as under:

"B. By an appropriate writ or direction or like in nature, it is to be directed to the Respondents No. 01 to 04 to recover earlier amount of Rs.10.82 Crores along with interest which was received by Respondents No. 5 and 6 company from Respondents No. 3 and 4 MSEDCL Company under the garb of variance between Regular Tariff and Subsidized Tariff, during the period from the Month of July 2008 up to May 2012.

C. During the pendency of the present petition Respondents No.1 to 4 Department of Government of Maharashtra and Company to restrain from processing the proposal and making further payment of amount of Rs.12.39 Crores, which is variance between Regular Tariff and Subsidized Tariff, during the period from the Month of December 2003 to the Month of June 2008 as such all Respondents are in collusion with each other are trying to garb the government funds i.e. the funds of public exchequer."

2. It is revealed that the Petitioner is unconcerned with this cause of action. He has suffered no legal injury. If at all any party is said to be aggrieved, the said party is not before this Court by filing a Petition. The learned AGP submits that the Petitioner has no cause of action to file this Petition. He further submits that this Petitioner is instructed by someone to file this Petition

3. The learned advocate for the Petitioner cannot point out any personal cause of action or legal injury in this Petition.

4. In view of the above, we are inclined to dismiss this Petition with cost of Rs.25,000/-, since it is a frivolous Petition. The learned Advocate for the Petitioner has taken instructions and submits that the Petitioner would withdraw this Petition and voluntarily donate an amount of Rs.5,000/- to the Advocate's Association of High Court of Bombay, Bench at Aurangabad.

5. In view of the above, this Writ Petition is disposed off as withdrawn on instructions. The amount of Rs.5000/- be deposited with the Advocate's Association of High Court of Bombay, Bench at Aurangabad on or before 15th April, 2024.

(R. M. JOSHI, J.)

ssp

(RAVINDRA V. GHUGE, J.)