

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 14133 OF 2024

Dashrath Raghuvir Pardeshi ... Petitioner

versus

State of Maharashtra and Another ... Respondents

....

Ms.Kanchan Phatak i/b. Mr.Nitin P. Deshpande for the Petitioner.
Mr.S.H.Kankal, AGP for Respondent No.1-State.

....

**CORAM : RAVINDRA V. GHUGE &
M.M. SATHAYE, JJ.**

DATE : 17TH OCTOBER, 2024

P.C.:

1. The Petitioner has put forth the prayer clause (a), as under :

“(a) this Hon’ble Court may by way of appropriate writ Order or direction direct the respondent No.1 to take decision on the representation of the Petitioner dated 13.12.2017, 19.08.2021, 12.10.2021 and 19.07.2024 and also direct the Respondent No.2 to take decision on the representation of the Petitioner dated 30.10.2017, 15.06.2021, 02.08.2021 and 16.08.2021 within two weeks from the date of the order”.

2. In view of the solitary prayer put forth, we perused the representation, dated 13th December, 2017. Rest of the representations

are, by and large, having the same contents and are in the form of reminders.

3. In the representation dated 13th December, 2017, the Petitioner has prayed that a Junior Clerk, namely, Naresh Pyarelal Pardeshi and his two brothers, are continuing in employment without validity certificates. Their claims have been invalidated and their Petitions before this Court have been dismissed. Therefore, they should be prosecuted, action be taken against them, they should be removed from service and a case of fraud be registered against them.

4. We find that the Petitioner, who is a 70 years old retired person, has not suffered any legal injury. There is no cause of action for him to file a Petition in view of the law laid down in the following judgments :

- (i) ***Kusum Ingots & Alloys Ltd. Vs. Union of India and another, (2004) 6 SCC 254;***
- (ii) ***Jotun India Private Limited Vs. Union of India and Ors., 2018 SCC OnLine Bom 6400;***
- (iii) ***United Forum and others Vs. The Union of India and others, 2018 SCC OnLine Bom 2221;***
- (iv) ***State of Bihar Vs. Rai Bahadur Hurdut Roy Moti Lal Jute Mills and another, AIR 1960 SC 378;***

- (v) ***State of Uttar Pradesh Vs. Kartar Singh, AIR 1964 SC 1135;***
- (vi) ***Ayaaubkhan Noorkhan Pathan Vs. State of Maharashtra and others, (2013) 4 SCC 465;***
- (vii) ***Chairman, Railway Board Vs. Chandrima Das, 2000 (2) SCC 465.***

5. The representation addressed by the Petitioner aims at a personal vendetta against three employees. The desire is to seek their prosecution and termination from service. No other cause is put forth, much less, a remedy for any alleged legal injury caused to the Petitioner. Such a representation cannot be considered in the writ jurisdiction of this Court for issuance of a Writ of Mandamus.

6. In view of the above, cost of Rs. 10,000/-, to be deposited in this Court, would be an appropriate order. The learned Advocate for the Petitioner, having consulted the Petitioner, who is present in the Court, prays for reduction of cost to Rs. 5,000/-. The statement is accepted. Cost of Rs. 5,000/- to be deposited in this Court. Registry shall transfer the said amount, by consent of the parties, to the Kirtikar Law Library, Court Room No. 36, High Court Premises, High Court, Bombay, within a period of 30 days from today.

7. **The Writ Petition is, accordingly, dismissed with the above cost.**

(M.M. SATHAYE, J.)

(RAVINDRA V. GHUGE, J.)