

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

PUBLIC INTEREST LITIGATION NO. 100 OF 2025

Ramdas Suryabhan Khade

.. Petitioner

Vs.

Union of India & Ors.

.. Respondents

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Mr. Girish S. Godbole, Senior Advocate i/by Mr. Devashish Godbole & Mr. Prasad Nagargoje, Advocates for the Petitioner.

Mr. Suresh Kumar, Advocate for the Respondent Nos.1 to 3.

Mr. O. A. Chandurkar, Additional Government Pleader with Mrs. G. R. Raghuwanshi, AGP for the Respondent Nos.4 to 8.

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**CORAM : SHREE CHANDRASHEKHAR, CJ &
GAUTAM A. ANKHAD, J.**

DATE : 26th SEPTEMBER 2025.

P.C. :

In this writ petition the petitioner seeks a direction to the Collectors and the local police Authorities in the State of Maharashtra to ensure that no law and order situation is created in relation to Pune-Miraj Doubling Project.

2. The petitioner claims that he has no personal interest in the matter and has approached this Court for the reason that he has seen the District Collector of Sangli and the Central Railway Authorities being pressurized by the political personality and thereby the Railway is compelled to pay an exorbitant compensation to the local villagers.

3. Mr. Girish S. Godbole, the learned senior counsel for the PIL petitioner refers to a communication dated 19th June 2025 at running page no.92 of the paper-book to submit that coercion and undue

influence exercised on the Railway authorities are apparent from the communication from the Deputy Chief Engineer (C), Central Railway at Satara to the Collector, Sangli. The learned senior counsel for the PIL petitioner submits that such highhandedness and arm-twist by the political personality to the Railway authorities have resulted into huge loss of public exchequer and such practices must stop.

4. The subject matter in this writ petition relates to Pune-Miraj line which connects the western Maharashtra to southern Indian States as Karnataka, Tamil Nadu and Kerala. In the communication dated 19th June 2025, the Deputy Chief Engineer (C) has stated as under: -

“ In connection with the above subject, a meeting conducted between the Railway and the State officials in the office of District Collector, Sangli on dated 16.05.2025. In the meeting it was decided to conduct the joint Panchanama and joint Site Survey with the State and the Railway officials to find out the area of land actually disturbed by the Railway in the land under acquisition.

Joint Panchanama and Joint Site Survey was conducted on dated 20-21/05/2025. In this, SSE/Works/Construction, Shri Balwant Kumar was available from Railway Side. From the state side, Talathi, Surveyor from Deputy SLR side and Tehsildar/Palus were present.

During the Joint site survey, land width available with Railway was not ascertained from the other side of the old track. Due to this, the actual land width available with the Railway couldn't be established. After this only the demarcation of land under acquisition can be done. Due to this the actual area of land used by Railway could not be jointly measured.

However, as per Railway own measurements, out of 1.95 Ha (total land under acquisition), only 0.55 Ha has been used for construction of Railway track and additional land of area 1.40 Ha (1.95 Ha-0.55 Ha) is being acquired at the insistence of land owners as there were Rail Roko andolan for their justified/unjustified demands holding passengers for ransom.

In view of stopping the agitations disrupting Railway services, Railways hereby agree to pay ground rent for the area decided in panchanama. The proposal for ground rent will be sent to Railway Board for their approval as agreed in meeting under reference (2) above.

Railways do have dispute related to land area being acquired as existing Railway land has not been measured during the Joint measurements or at the time of preparation of panchanama. Railways reserves right to challenge the land measurements in due course of time.

You are requested to decide ground rent as applicable. The proposal for payment ground can be forwarded to Railway Board for consideration.”

5. In this writ petition the petitioner has made certain statements which cannot be ascertained in the present proceedings. The petitioner states that District Collector at Sangli supports the dharna which is creating law and order situation. He further states that the local police officers, Collectors and politicians are hand-in-glove and not taking necessary steps to stop dharna/protest and are, in fact, supporting them. On such pleadings, the petitioner seeks a mandamus that no dharna/protest shall be carried out and the bargain which the Central Railway Authority entered into with the local villagers should be declared illegal. In our opinion, this is not the law in India that in every matter in which the State Authority is a party shall involve public interest. This is no doubt in the public interest that there should not be wastage of public expenditure but then the decision taken by the Central Railway Authorities to pay compensation cannot be a ground to file a public interest petition like the present one. Besides the fact that a petition labeled as public interest litigation is entertained primarily to take up the cause of the poor and marginalized section of the society, the payment of compensation to the land owners cannot be made a foundation to lay this Public Interest Litigation No.100 of 2025, which is dismissed.

[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]

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