

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

CRIMINAL PUBLIC INTEREST LITIGATION NO.10 OF 2025

Vilas Gangaram Shegle

.. Petitioner

Vs.

Ranjan Nikale and Ors.

.. Respondents

Mr. R.L. Majgaonkar, Advocate for the Petitioner.

Mrs. M.M. Deshmukh, In-Charge Public Prosecutor with Mrs. S.I. Kak and Mr. K.V. Saste, Additional Public Prosecutors for the Respondent-State of Maharashtra.

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

DATE : 11TH DECEMBER 2025.

P.C. :

In this writ petition, the following prayers have been made by the petitioner who claims that he is a social worker and conducted several social activities:

- “(a) This Hon’ble Court may be pleased to issue a writ of certiorari or a writ in the nature of certiorari and/or any other appropriate writ, order or direction, the respondent nos.26 to 30 and made enquiry and register FIR against the respondent nos.1 to 25;*
- (b) That this Hon’ble Court be pleased to seeking directions the respondent nos.26 to 30 made enquiry and register FIR under sections 120-B, 417, 420, 463 and 467 of the Indian Penal Code against the respondent nos.1 to 25;*
- (c) That this Hon’ble Court be pleased to seeking directions the respondent no.29 demolish structure of building and handover land/property of the original landlord (Desai family) the said property situated at Mouje Chakala, Taluka : Andheri bearing Survey No.79-A/2 and 121-B admeasuring area of 495.1 sq.yards and 443.98 sq.yards. Till today standing in the name of Desai family on 7 x 12 extract;*
- (d) Pending the hearing and final disposal of the present petition, that this Hon’ble Court be pleased seeking directions to the respondent no.29 demolish structure of building and handover and lawful possession of land/property to the original landlord (Desai family) the said property situated at Mouje Chakala, Taluka : Andheri bearing Survey No.79-A/2 and 121-B admeasuring area of 495.1 sq. yards and 443.98*

*sq. yards. Till today standing in the name of Desai family on
7 x 12 extract;*
(e) *Ad-interim and interim reliefs in terms of prayer clause (d)
above be granted.”*

2. Respondent nos.1 to 11 and 19 to 25 are the government authorities and respondent nos.12 to 18 are private individuals. The petitioner states that one Desai family was in possession of the properties comprised under Survey No.79-A/1, 2; City Survey No.121, 121/1 to 27; and City Survey No.79/5 situated at Mouje Chakala, Taluka Andheri and since several years the members of the Desai family are missing. The petitioner further states that he made enquiries about properties of the Desai family and found that the said properties have been developed, the structures thereon changed and a new building has been reconstructed. He issued notices and made representations to the government authorities but no action thereon was taken by them. Being constrained, he has filed this writ petition labelled as a Public Interest Litigation.

3. On a bare reading of the statements made in this writ petition, we observe that the petitioner has misused the process of law by filing this petition and, that too, labelling the same as a Public Interest Litigation. He has made allegations of conspiracy, dispossession and illegal construction of building. He has no right, title or interest in the properties of the Desai family. He is not privy to the information about any agreement between the members of the Desai family and the respondent nos.12 to 18. As held in “*Ashok Kumar Pandey v. State of W.B.*” (2004) 3 SCC 349, only a person acting *bona fide* and possessing sufficient interest in the subject matter of a Public Interest Litigation has the *locus standi* to approach the Court for redressal of violations of fundamental rights or genuine infractions of statutory provisions.

The petitioner does not meet the tests laid down in the said judgment. Having observed so, we find that the petitioner has no locus to file this writ petition much less a writ petition in the nature of a Public Interest Litigation.

4. Criminal Public Interest Litigation No.10 of 2025 is dismissed.

[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]