



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

PUBLIC INTEREST LITIGATION (PIL) NO. 31 OF 2025

SUNIL S/O. RATANLAL GAUTAM

...Vs...

THE STATE OF MAHARASHTRA, THR. FOREST AND REVENUE THR. SECY., MUMBAI AND OTHERS

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
---	---------------------------

Shri P.D.Sharma, Advocate for petitioner.
Shri Akshay Naik, Sr. Advocate a/b. Shri S.A.Pathak, Advocate for Intervenor.
Shri N.S. Khubalkar, Advocate for respondent nos. 2 and 3.

CORAM: ANIL S. KILOR AND
RAJNISH R. VYAS, JJ.

DATED : 06th OCTOBER, 2025.

Heard.

2. By way of this Public Interest Litigation (PIL),
the petitioner is seeking following reliefs:-

“i. issue writ of mandamus or any other writ, order or direction in the nature of mandamus and thereby direct the Respondent No.1 to submit a detailed report of the appointment of 5 employees of ESSEL WORLD permanently on the managerial post of Balasaheb Thakre Gorewada International Zoo without following due recruitment process;

ii. issue writ of mandamus or any other writ, order or direction in the nature of mandamus and thereby direct the Respondent No.2 to submit the complete details of salary paid to the 5 employees of ESSEL WORLD from 24/04/2019 till today from public exchequer;

iii. issue writ of mandamus or any other writ, order or direction in the nature of mandamus and thereby direct the Respondent No.2 to take complete control of Balasaheb Thakre Gorewada International Zoo and also set up the rules and regulations for the contracted private companies to function properly at Balasaheb Thakre Gorewada International Zoo in accordance with the provisions of Wild Life (Protection) Act, 1972, Indian Forest Act 1927 and Forest (Conservation) Act 1980;

iv. to set up inquiry committee under the Chairmanship of any Hon'ble Retired Judge of the High Court to look into the

illegalities being committed by Respondent No.2 and the contracted private companies;

v. issue writ of mandamus or any other writ, order or direction in the nature of mandamus and thereby direct the Respondent No.1 to punish the officers of FDCM responsible for not only inflicting the unfair labour practices on the low paid employees of Respondent No. 2 but also for committing the serious illegalities being hand in gloves with the private companies;

vi. issue writ of mandamus or any other writ, order or direction in the nature of mandamus and thereby direct the Respondent No.1 to lodge the FIR against the responsible individuals for committing the job fraud in Balasaheb Thakre Gorewada International Zoo;

vii. issue writ of certiorari or any other writ, order or direction in the nature of certiorari and thereby quash and set aside Board of Directors Resolutions dated 27/03/2019 and 17/03/2023 resolved by the Board of Directors of Respondent No.2 being void ab-initio; at Annex. P-B.

viii. by way of ad-interim relief direct Respondent No.2 not to take any coercive action against any of the employees working in the Balasaheb Thakre Gorewada International Zoo till the pendency of the present petition;

ix. grant ad-interim relief in terms of prayer clause (viii);

x. pass any other suitable order or direction in the facts and circumstances of the case which this Hon'ble Court deems fit;

xi. allow the petition, in the interest of justice, equity and fairness."

3. From the above referred prayer Clauses, it is evident that most of the prayers are relating to service condition or appointment of the employees or the illegalities alleged to have committed by the respondents in the appointment of the employees.

4. It is settled law that, in a service matter, the PIL is not tenable as held by the Hon'ble Supreme Court of India in the case of **Ashok Kumar Pandey V/s. State of West Bengal** reported in 2004(3) SCC 349.

5. In that view of the matter, we are not inclined to entertain this PIL. Accordingly, it is **dismissed**.

6. However, we grant liberty to the petitioner to file appropriate proceedings before the appropriate forum if he so desires.

(RAJNISH R. VYAS, J.)

(ANIL S. KILOR, J.)

B.T.K.