

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

PUBLIC INTEREST LITIGATION (ST) NO.12854 OF 2022

**JAIKISHAN UDAKRAM KAMBLE
VERSUS
STATE OF MAHARASHTRA AND OTHERS**

Mr. Ajay T. Kanwade a/w Mr. Shardul S. Dev, Advocate for the petitioner

Mr. D. R. Kale, Government Pleader for the respondents

CORAM : R.D. DHANUKA & S. G. MEHARE, JJ.
DATE : 29th April, 2022

ORDER:

1. By this civil public interest litigation filed by the petitioner, who claims to be a District and City President of Republican Yuva Morcha, Aurangabad and a public spirited person, seeks writ of mandamus against the respondents to restrict/stop political rally of Mr. Swarraj alias Raj Thackeray, Chief of the Maharashtra Navnirman Sena, scheduled on 1st May, 2022 at Marathwada Sanskritik Mandal Maidan, Aurangabad on the ground that there may be law and order situation in Aurangabad and more particularly on the ground that as the Holy month of Ramzan is going on and organizing such rally before 48 hours of Eid raises a serious doubt on the intention of Mr. Swarraj alias Raj Thackeray.

2. Mr. Kale, the learned Government pleader tenders a copy of the permission granted by the Police Commissioner, Aurangabad City

on 28th April, 2022 imposing 16 conditions upon the Organizer. The said conditions include the condition stating that no rally will be permitted to be held on 1st March, 2022 during the period prescribed in the said order. Perusal of the said conditions clearly indicate that the Police Commissioner has taken care of all aspect so as to not to have any law and order problem on the day of public meeting proposed to be held by the Mr. Swarraj alias Raj Thackeray. The conditions imposed by the Police Commissioner are stringent conditions issued in public interest.

3. In our view, the apprehension of the petitioner appears created and to be politically motivated. The petition filed by the petitioner is politically motivated petition and appears not a bona fide petition.

4. Public Interest Litigation is dismissed with cost, quantified Rs. One lakh, which shall be deposited by the petitioner with the Maharashtra Legal Services Authority within three days from today and shall produce copy of the receipt for perusal of the Sheristedar of the Court.

(S. G. MEHARE, J.)

(R.D. DHANUKA, J.)

JPC