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IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

**PUBLIC INTEREST LITIGATION NO.116 OF 2016**

Sanjay Bhaskarrao Kale ..PETITIONER

VERSUS

The Union of India & ors. ..RESPONDENTS

Ms P.S. Talekar, Advocate on behalf of Talekar & Associates for petitioner;  
Mr Bhushan Kulkarni, Standing Counsel for respondents no.1 & 2;  
Mr A.R. Kale, A.G.P. for respondents no.4 & 5

**CORAM : DIPANKAR DATTA, CJ  
AND  
RAVINDRA V. GHUGE, J.**

**DATE : JANUARY 20, 2021**

**PC :**

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The present PIL petition has been instituted before this Court by a social activist. He seeks a direction upon the respondents to spread awareness of the contents of the Constitution of India, the Right to Information Act and the Consumer Protection Act among the masses by including such laws as compulsory subjects of education at high level of studies, i.e., Undergraduate and Post-Graduate courses.

2. In Justice K. K. Mathew's 'Democracy, Equality and Freedom' (edited by Dr. Upendra Baxi), the foreword has been penned by former Chief Justice Y. V. Chandrachud. His Lordship expressed that "in our present dispensation, a Judge cannot, except for honourable

exceptions, lay plausible claim of legal scholarship.” We certainly are not exceptions and, therefore, would never dream of claiming legal or any other scholarship. Why we say so is because of the nature of concern expressed in this PIL petition.

3. As Judges, we primarily don the hat of an adjudicator. Having regard to the manifold activities in relation to administrative work that we perforce are bound to discharge, we also don other hats. An attempt is made by the petitioner by presenting this Public Interest Litigation to make us don the hat of an academician too and interfere in academic matters, a field of activity where we have little or no expertise. There could be a judicial over-reach and stepping into the domain of the other organs of the State, if we were to entertain the prayers in this PIL petition. We are, therefore, of the considered opinion that the matter must be left to the discretion of the experts in the educational field. The petitioner is granted leave to pursue his remedy before such authorities.

4. On the above term, the Public Interest Litigation petition stands disposed of. No costs.

5. If an approach is made by the petitioner, the Registry shall refund the sum of Rs.10,000/- deposited by him in terms of the Court’s order dated 29<sup>th</sup> August, 2016 as early as possible.

**[RAVINDRA V. GHUGE, J.]**

**[CHIEF JUSTICE]**

amj