

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

PUBLIC INTEREST LITIGATION (ST.) NO. 22503 OF 2022

Swanath Foundation } **Petitioner**
Versus
Union of India and Anr. } **Respondents**

Dr. Uday Warunjikar with Ms. Janaki Ravi and Ms. Ankita Bamboli i/b. Hulyalkar and Associates for the petitioner.

Ms. Leena Patil for respondent no. 1.

**CORAM: DIPANKAR DATTA, CJ. &
MADHAV J. JAMDAR, J.**

DATE: SEPTEMBER 15, 2022

P.C.:

1. The prayer in this writ petition is as follows: -

“a. In the circumstances, it is therefore prayed that this Hon’ble Court may be pleased to issue a Writ Order or direction, more particularly one in the nature of Writ of Mandamus or any other writ or direction in the nature of the writ and issue direction to the Respondents to change the official name Anath (orphan) to Swanath.”

2. We find no reason to entertain a Public Interest Litigation of this nature. The Marathi, Hindi and Bengali equivalent of the English word ‘orphan’ is common, i.e., ‘*anath*’. The word ‘*anath*’, to signify a child who has lost his parents, has been used in all these languages since ages. Not only that, the word orphanage in Marathi, Hindi and Bengali means ‘*anathashram*’. We do not agree with Dr. Warunjikar, learned advocate for the petitioner that the word ‘*anath*’

attaches any stigma to the child. On the contrary, we find this writ petition to be motivated, in the sense that it seeks an order in the nature of Mandamus to call anyone who is an orphan as 'swanath' which, in fact, is the name of the Trust of which the petitioner is a managing trustee.

3. While considering any Public Interest Litigation, the Court must remain alive to and be conscious of the *Laxman Rekha* within which it must function. It is only in rare and extreme cases where the Court ought to push itself, in the larger public interest to provide for the poor, deprived and oppressed, or to save the environment, or for ensuring good governance, to the last extent of the *Laxman Rekha*. This is certainly not such a case. It is entirely for the other organs of the State to consider as a matter of policy whether, at all, a need to have a change of the nature sought for by the petitioner subsists and if so, what action should be taken.

4. The PIL petition is misconceived. It stands dismissed. No costs.

SALUNKE
J V

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(MADHAV A JAMDAR, J.)

(CHIEF JUSTICE)