



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

PUBLIC INTEREST LITIGATION (L) NO. 4368 OF 2023

Dr. Subramaniam Swamy & Anr. .. Petitioners
Versus
State of Maharashtra, through
Ministry of Law and Judiciary
Department. .. Respondent

**WITH
INTERIM APPLICATION (L) NO. 17754 OF 2023
IN
PUBLIC INTEREST LITIGATION (L) NO. 4368 OF 2023**

Vaidic Dharma Samrakshak Sangh,
Through its president
Bheemacharya Balacharya Varakhedakar .. Applicant

In the matter between:

Dr. Subramaniam Swamy & Anr. .. Petitioners
Versus
State of Maharashtra, through
Ministry of Law and Judiciary
Department .. Respondent

**WITH
INTERIM APPLICATION (L) NO. 11666 OF 2023
IN
PUBLIC INTEREST LITIGATION (L) NO. 4368 OF 2023**

Shree Vitthal Rukmini Temples
Committee .. Applicant

In the matter between:

Dr. Subramaniam Swamy & Anr. .. Petitioners
Versus
State of Maharashtra, through
Ministry of Law and Judiciary
Department .. Respondent

Dr. Subramanian Swami, petitioner-in-person, present.

Dr. Birendra Saraf, Advocate General with Mr. Milind More, Addl. Govt. Pleader for respondent/State.

Mr. Bheemacharya Balacharya Varakhedakar, present of applicant in IAL/17754/2023 in-person present.

Mr. Shashikant Surana i/by Mr. Madhur Surana for applicant in IAL/11666/2023.

CORAM: DEVENDRA KUMAR UPADHYAYA, CJ. & ARIF S. DOCTOR, J.

DATE: 21st AUGUST, 2023

P.C.:

1. Heard the petitioner-in-person, Dr. Saraf, learned Advocate General representing the State of Maharashtra, Shri. Surana, learned counsel for the applicant/intervener in Interim Application (L) No. 11666 of 2023 and Shri. Bheemacharya Balacharya Varakhedakar, who has moved the Interim Application (L) No. 17754 of 2023 on behalf of Vaidic Dharma Samrakshak Sangh (hereinafter referred to as "the Sangh").

2. As far as the prayer made by Shree Vitthal Rukmini Temples Committee is concerned, we permit the said Committee to make its submissions for the reasons that it is a statutory committee formed under the impugned enactment. Accordingly, Interim Application (L) No. 11666 of 2023 stands disposed of.

3. Having heard Shri Bheemacharya Balacharya Varakhedakar in support of Interim Application (L) No. 17754 of 2023, we find that the Sangh does not have any locus to intervene in the PIL petition for the reason that under challenge in the PIL petition is the statutory validity of State Legislation and merely because the members of the said Sangh are devotees of God Shree Vitthal, Rukminee and their other Pariwar Devatas, it cannot be said that they are either necessary or proper parties. Prayer is, thus, rejected. Interim Application (L) No. 17754 of 2023 stands disposed of accordingly.

4. Learned Advocate General appearing for the State assures us that affidavit-in-reply will be filed within a week. Rejoinder affidavit may be filed by the petitioner-in-person within a week thereafter.

5. List the PIL petition on **13th September, 2023**.

(ARIF S. DOCTOR, J.)

(CHIEF JUSTICE)

PRAVIN
DASHARATH
PANDIT

Digitally signed by
PRAVIN DASHARATH
PANDIT
Date: 2023.08.21
17:35:51 +0530