

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

**PUBLIC INTEREST LITIGATION STAMP NO.5217 OF 2023**

**Rashtriya Swayamsevak Sangh**

**Versus**

**Union of India and others**

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Office Notes, Memoranda of Coram,  
appearances, Court's orders or directions Court's or Judge's orders  
and Registrar's order

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Shri A.R. Ingole, Advocate for Petitioner.

Shri N.S. Deshpande, Deputy Solicitor General of India for  
Respondent No.1.

Shri A.M. Deshpande, In-charge Government Pleader for  
Respondent Nos.2, 3 and 6.

Shri Sunil Manohar, Senior Advocate, assisted by Shri Parijat Pande,  
Advocate for Respondent No.4.

Shri J.B. Kasat, Advocate for Respondent No.5.

**CORAM : A.S. CHANDURKAR AND M.W. CHANDWANI, JJ.**

**DATE : 13<sup>th</sup> MARCH, 2023**

1. By the present proceedings, the petitioner claiming to be the National President of "Rashtriya Swayamsevak Sangh" has sought a direction to the Union of India, through its Secretary, Ministry of External Affairs, New Delhi, as well as the Divisional Commissioner, Nagpur, to conduct "Civil 20" (C-20) Inception Conference on its own without permitting the participation of respondent No.4-Trust. A further prayer is made to direct the respondents to initiate an inquiry into the misuse of tax-payers' money under the guise of conducting the C-20 event through the respondent No.4.

2. We have perused the Writ Petition and we have heard the learned counsel for the petitioner. It is urged that the petitioner has submitted an online application seeking registration of the Society. However, till date, the Society is yet to be registered. On perusal of

the pleadings in the Writ Petition and documents filed alongwith it, except for a publication in the document which is titled as “*Sattadhish*”, there is no document on record to support the case of the petitioner that tax-payers’ money is being misused by the respondent No.4-Trust. A copy of the press release under which the details of the manner in which the C-20 Inception Conference is to take place is annexed to the Writ Petition. We thus do not find any basis whatsoever for the petitioner to aver in the Writ Petition that there is any misuse of tax-payers’ money at the behest of the respondent No.4-Trust under the guise of conducting the C-20 event.

3. The learned Deputy Solicitor General of India appearing for the respondent No.1, on instructions, submits that the Central Government has not provided any funds to the respondent No.4 to conduct the said Conference and the public exchequer is not burdened by the conduct of the aforesaid Inception Conference to be held between 20-3-2023 and 22-3-2023. The learned Senior Advocate for the respondent No.4 also submits that no funds, either of the Central Government or of the State Government, are received by the said Trust to conduct the Inception Conference. Our attention is also invited to the judgment in Writ Petition No.6700 of 2017 (*Janardan s/o Gulabrao Moon Vs. The State of Maharashtra and others*) decided on 21-1-2019 that was filed by the National President of the petitioner herein and the order dated 4-10-2017 passed by the Assistant Registrar of Societies, Nagpur, refusing to grant permission to register a charitable Society under the name and style of “Rashtriya Swayansevak Sangh”, was challenged. The impugned order was not interfered with and the Writ Petition was dismissed.

4. Having examined the locus of the petitioner in the light of the law laid down in *Esteem Properties Private Limited Vs. Chetan Kamble*

*and others, (2022) 11 SCC 661*, we find that the petitioner has failed to disclose the judgment passed in Writ Petition No.6700 of 2017 that was preferred by the National President. Despite said judgment against which the Special Leave Petition has been dismissed, the present proceedings are filed under the same name that was the subject matter of consideration earlier. Since the present proceedings are sought to be preferred in public interest, this material aspect ought to have been disclosed.

Perusal of the press release relied upon by the petitioner indicates that the objective of C-20 is to present the perspective of civil society, NGOs and the development sector to the G-20 Heads of States. In the absence of any material whatsoever to support the averments made in the Writ Petition regarding misuse of tax-payers' money, we do not find any reason to entertain the present proceedings and consider the prayers made therein. Notwithstanding the absence of material pleadings, we have noted the statement made on behalf of the learned Deputy Solicitor General of India of absence of any funding by the Central Government. Since we find that the attempt made on the part of the petitioner to invoke writ jurisdiction of this Court is by suppressing relevant material without any proper effort to gather relevant information, the Writ Petition being misconceived is dismissed with costs of Rs.10,000/- (Rupees Ten Thousand) to be paid to the High Court Legal Services Sub-Committee, Nagpur within a period of two weeks from today.

**(M.W. CHANDWANI, J.)**

**(A.S. CHANDURKAR, J.)**