



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.14639 of 2025

Gangadhar Kaushalya

....

Petitioner

Mr. Ranjan Kumar Nayak, Advocate
-Versus-

State of Odisha and others

....

Opposite Parties

Mr. Debashis Tripathy, Addl. Govt. Advocate

**CORAM:
HON'BLE THE CHIEF JUSTICE
AND
HON'BLE MR. JUSTICE MURAHARI SRI RAMAN**

Order No.

**ORDER
09.10.2025**

- 02.**
1. Recently, a trend has developed in filing the Public Interest Litigation (PIL) flagging personal issues giving a colour of the public interest without making any pleadings nor annexing any materials to the PIL and by making an illusory cause of action inviting the Court to invest time on such issues, which never germane. A litigant should not be permitted to use the fiat of the Public Interest Litigation to settle its personal score.
 2. A copy of the representation is annexed to the writ petition showing the date of its making on 25th February, 2025. The instant writ petition in the nature of PIL is filed on 14th May, 2025 having duly affirmed by the petitioner on 12th May, 2025. There is no



disclosure of the facts, which would constitute the grievance of the public at large nor does the prayer meet the requirement of the PIL.

3. A plea is taken by Mr. Debashis Tripathy, learned Additional Government Advocate appearing for the State-opposite parties that the so-called representation annexed to the instant writ petition as Annexure-2 was never served upon the Collector, who is arraigned as a party in the instant litigation, or there is no proof of either the dispatch of the said representation or the service thereof in the instant writ petition.

4. However on being asked, Mr. Ranjan Kumar Nayak, learned counsel for the petitioner hands over the postal receipt, which indicates that a postal article was registered with the Post Office on 14th May, 2025 at 03:39 P.M. by the learned Advocate on record of the petitioner.

5. Considering the volume of the writ petition and the weight which is shown in the said postal receipt, it does not instill confidence in us that the representation was sent, but it inculcates a sense that a writ petition was sent through post. Even if the stand of the learned counsel appearing for the petitioner is taken to be true, for the sake of the argument, it reveals the service of the representation



after the affirmation is made and the writ petition in the nature of PIL having filed on the same day.

6. It is a sordid state of affairs that a document is prepared for the purpose of the litigation and invited the Court to spend the valuable time to decide the cause. Such recalcitrant litigant should not be dealt with sympathy, but must be shown the outer door of the Court by taking a stern decision. It is improbable in a judicial system that a document is prepared for the purpose of creating an illusory cause of action that to by a legal expert and such clever drafting is required to be nipped in the bud.

7. Apart from the same, we find the latent intent becomes patent that the petitioner intended to gather and/or fish out the evidence by using the judicial forum as a tool for the same. Such frivolous litigation should not be encouraged and required to be buried at the first instance. Let the postal receipt handed over in course of the hearing be kept on record.

8. In view of the findings made hereinabove, the writ petition is dismissed, *in limine*, with cost assessed at Rs.25,000/- to be deposited with the Odisha State Legal Services Authority within two weeks



from date to be utilized for providing better facilities and the amenities to the juveniles in the juvenile home.

(Harish Tandon)
Chief Justice

(M.S. Raman)
Judge

S.K. Behera

Signature Not Verified

Digitally Signed
Signed by: SISIRA KUMAR BEHERA
Designation: Junior Stenographer
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 13-Oct-2025 17:16:56

