



IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/WRIT PETITION (PIL) NO. 7 of 2026

FOR APPROVAL AND SIGNATURE:

HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE SUNITA AGARWAL
and
HONOURABLE MR.JUSTICE D.N.RAY

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Approved for Reporting	Yes	No
	Yes	--
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LUHAR JAYANTIBHAI JUGABHAI
 Versus
 STATE OF GUJARAT & ORS.

Appearance:

MR MIREN PRIYADARSHI(11023) for the Applicant(s) No. 1
 MS RATNA VORA(2251) for the Applicant(s) No. 1
 MS. ANITASALOMI B KAPADIA(14638) for the Applicant(s) No. 1
 MS HETAL PATEL, AGP for the Opponent(s) No. 1,2,3

CORAM:HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE
SUNITA AGARWAL
and
HONOURABLE MR.JUSTICE D.N.RAY

Date : 12/02/2026
ORAL JUDGMENT
(PER : HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE SUNITA
AGARWAL)

1. The present petition has been filed by a resident of the city of Ahmedabad, who claims to be a law-abiding citizen, an Indian national, social worker and leader of Marwadi Luhar Community. As regards the credentials of the petitioner, in the writ petition, it is stated that the petitioner is engaged in organizing community marriages, distribution of books and notebooks to the poor children of his society and other charitable works.



2. The assertions in the writ petition are that on 04.02.2026, a viral video was received on the whatsapp of the petitioner, which contains allegations that the demolition work of the building of Gujarat College is being done without any tender proceedings, and the scrap of that building is being taken away by someone with the collusion of government officers and Principal of the College.

3. On the next date itself, i.e. on 05.02.2026, the petitioner himself visited the Gujarat College and verified the details of the video, by clicking some pictures as well as selfies at the site. The photographs of the site in question, annexed as Annexure-A Colly to the writ petition, are sought to be pressed into service by the learned counsel for the petitioner to submit that the petitioner has verified the factum of illegal demolition on his own by personally visiting the site of the building inside the Gujarat College campus.

4. It is noteworthy that the manner in which the petitioner has verified the fact of the demolition being carried out without any tender proceedings, has not been disclosed in the writ petition. As per own contention of the petitioner, the basis of filing of the present petition is a viral video circulated on the whatsapp.

5. The assertions in paragraphs 1, 2 and 3 of the writ petition are cryptic, wherein the statement has been made that the notice on the State of Gujarat be served through the Secretary, Roads and Buildings Department, who is necessary



and proper party to restrain the wrongdoers from continuing the illegal sand mining. This statement in para-1 at internal page-5 of the paper book, while giving description of the respondent in the writ petition, itself makes it clear that the present petition is a copy-paste of some other writ petition. The contention of the learned counsel for the petitioner, however, is that the words “illegal sand mining” are typing mistake.

6. Further the statement in sub-para (2) at page-5 of the paper book are that the Executive Engineer, Road & Building Department, having awarded the alleged contract of demolition of the chemistry building is also necessary and proper party. It is further stated that the present petition is being filed in the public interest for restraining the wrongdoers for having illegally granted the contract of demolition of a Government building without floating any tender. It is, however, not disclosed as to what is the basis of the statement of the petitioner on oath that the work of demolition of a Government building is being carried out by the Executive Engineer, Roads and Buildings Department, by awarding contract without floating any tender. The basis of all the statements made in the writ petition, as admitted, in various paragraphs of the writ petition, is only the viral video circulated on whatsapp.

7. On a query made by the Court as to how the said statements could be verified, and how the genuineness of the video could be ascertained, which is the sole basis of filing the

present petition, no proper answer could be given by learned counsel for the petitioner. Learned advocate appearing for the petitioner, however, vehemently argued that, in these days of Social Media, the information circulated by way of messages and videos cannot be ignored and due credence is to be given by the Court, to the allegations therein to initiate an enquiry.

8. We are afraid to accept such a sweeping statement made by the learned advocate at the bar. These are the days of deepfake; images, videos or audios have been edited or generated using artificial intelligence (AI) to target any person. Such videos are circulated and made viral by the people, none of whom can vouch for their authenticity.

9. The jurisdiction of public interest litigation has been evolved with the judicial pronouncements of the Apex Court in order to address the issues pertaining to the larger public interest, to wipe out violation of fundamental rights of the people at large and genuine infraction of statutory provision. The tool of the public interest litigation cannot be utilized by anyone claiming to be a social worker, on the basis of any viral video or information circulated on the social media, that too in a matter where the question is of award of contract for some infrastructural work going on in a college. Moreover, none of the college authorities are impleaded in the writ petition, who may have been instrumental in awarding the contract.

10. Further a person acting *bonafide* and having sufficient interest in the proceedings of public interest litigation will

alone have a *locus standi* to approach the court to intervene for the larger public interest, but not for personal gain or private profit or political motive or any oblique consideration.

11. In order to maintain a public interest litigation, it is imperative for the court to satisfy itself about (a) the credentials of the applicant; (b) the prima facie correctness or nature of information given by him; (c) the information being not vague and indefinite. The information should show gravity and seriousness involved. Court has to strike balance between two conflicting interests; (i) nobody should be allowed to indulge in wild and reckless allegations besmirching the character of others; and (ii) avoidance of public mischief and to avoid mischievous petitions seeking to assail, for oblique motives, justifiable executive actions. In such case, the Court cannot afford to be liberal. It has to be extremely careful to see that under the guise of redressing a public grievance, it does not encroach upon the sphere reserved by the Constitution to the Executive and the Legislature. The Court has to act ruthlessly while dealing with imposters and busybodies or meddlesome interlopers impersonating as public-spirited holy men. They masquerade as crusaders of justice. They pretend to act in the name of *Pro Bono Publico*, though they have no interest of the public or even of their own to protect. [See para 14 of the decision of the Apex Court in **Dattaraj Nathuji Thaware vs. State of Maharashtra and Ors.** reported in **(2005) 1 SCC 590**].



12. In **Kusum Lala v. Union of India and Others** reported in **2006 (6) SCC 180**, the Apex Court observed on the maintainability of the public interest litigation as under:-

"17. It is also noticed that petitions are based on newspaper reports without any attempt to verify their authenticity. As observed by this Court in several cases newspaper reports do not constitute evidence. A petition based on unconfirmed news reports, without verifying their authenticity should not normally be entertained. As noted above, such petitions do not provide any basis for verifying the correctness of statements made and information given in the petition. It would be desirable for the Courts to filter out the frivolous petitions and dismiss them with costs so that the message goes in the right direction that petitions filed with oblique motive do not have the approval of the Courts."

13. In any case, this Court is not satisfied with the *bona-fides* of the petitioner and his credentials cannot be certified, which is the most crucial aspect in entertaining a public interest litigation under the Rules framed by the High Court to regulate the filing of the public interest petition.

14. In view of the above, we find that the present public interest litigation based on the information received by the petitioner in a viral video clip, is a wholly misconceived petition. The same is dismissed, accordingly though without costs.

(SUNITA AGARWAL, CJ)

(D.N.RAY,J)

R.S. MALEK