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IN THE HIGH COURT OF MADHYA PRADESH  
AT JABALPUR

BEFORE  
HON'BLE SHRI JUSTICE RAJENDRA KUMAR (VERMA)

&

HON'BLE SHRI JUSTICE AVANINDRA KUMAR SINGH  
ON THE 1<sup>st</sup> OF JUNE, 2023

WRIT PETITION No. 12251 of 2023

BETWEEN:-

(BY SHRI ADITYA SANGHI - ADVOCATE)

....PETITIONERS

AND

1. HAJJI COMMITTEE OF INDIA THROUGH CHIEF EXECUTIVE OFFICER BAITAL HUJJAJ( HAJ HOUSE) R/O 7-A PALTON ROAD M.R.A. MARG MUMBAI (MAHARASHTRA)
2. UNION OF INDIA THROUGH PRINCIPAL SECRETARY (HAJ) MINISTRY OF MINORITY AFFAIRS NEE DELHI (DELHI)

....RESPONDENTS

.....  
*This petition coming on for admission this day, the Court passed the following:*

**ORDER**

Heard on I.A. No.7923 of 2023 an application for urgent hearing during summer vacation.

On due consideration, the same is allowed.

Heard on the admission and grant of interim relief.

The instant petition under Article 226 of the Constitution of India has been filed by the petitioners in the shape of Public Interest Litigation seeking the following reliefs:

*"(i) To issue a writ in the nature of mandamus and direct the respondent No.1 to consider and decide the representation dated 08.05.2023 made on behalf of the petitioners for change the Embarkation Point from "Bhopal" to "Mumbai".*

*(ii) To issue the direction to the respondents that the deposit made by the petitioners shall be subject to the final outcome of the instant writ petition.*

*(iii) To issue the direction to the respondent authorities that in case the respondent authorities favourably consider the representation submitted by the petitioners and allot Embarkation Point from "Mumbai", the petitioners shall be entitled to get the refund of the excess amount deposited by them.*

*(iv) Any other relief which this Hon'ble Court finds the petitioners entitled to be also granted.*

*(v) Cost of the petition."*

The basic contention of learned counsel for the petitioners is that the circular dated 06.05.2023 issued by the Haj Committee of India i.e. respondent no.1 provides for charging excessive amount from the Haj pilgrims having their embarkation point at Bhopal as compared to the pilgrims having their embarkation point from other cities. The discriminatory attitude has been adopted by the respondent no.1 in respect of the different embarkation points. No reasons have been assigned as to why there is a difference of amount between various embarkation points. In the circumstances, clarification/explanation needs to be called from respondents and also to change

the application of the pilgrim for change of his/her embarkation application to Mumbai instead of Bhopal and charge amount accordingly.

On perusal of the writ petition and the documents annexed alongwith it, petitioners have no locus to file this public interest litigation, as they are neither beneficiary of the scheme nor going to perform the Haj pilgrimage. In case, any individual has grievance, he may approach this Court by filing separate individual writ petition, otherwise large number of applicants would approach the Haj Authorities which would create chaos and the planned time table for Haj Pilgrimage would get disturbed to a great extent. A general direction is being sought by the petitioners under the garb of this public interest litigation, which cannot be countenanced. It is not known as to how many pilgrims would apply under the common order and wish to change their embarkation points. In view of the above, no public interest is involved so as to entertain this public interest litigation.

Writ petition being bereft of merit and substance, is hereby dismissed at the admission stage itself.

**(RAJENDRA KUMAR (VERMA))**  
**V. JUDGE**

**(AVANINDRA KUMAR SINGH)**  
**V. JUDGE**