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WP-28444-2026

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE VIVEK RUSIA,
ACTING CHIEF JUSTICE

&

HON'BLE SHRI JUSTICE PRADEEP MITTAL

ON THE 27th OF JULY, 2026

WRIT PETITION No. 28444 of 2026

ABHISHEK PATHAK

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

.....
Appearance:

*Shri Narendra Athiya and Shri Chandan Patel - Advocates for the
petitioner.*

*Shri Rajvardhan Dutt Padraha - Govt. Advocate for the
respondents/State.*

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ORDER

Per. Vivek Rusia, Acting Chief Justice

The petitioner has filed the present Public Interest Litigation on the basis of news published in local newspapers, which are cumulatively filed as Annexure P/1.

2. News published in a daily newspaper is the only source of information for the petitioner to file a representation/complaint to the respondent No.4/Superintendent, Netaji Subhash Chandra Bose Medical College Hospital, Jabalpur and respondent No.7/Superintendent of Police, Special Police Establishment (Lokayukt), Jabalpur and thereafter, the present



Public Interest Litigation is filed.

3. It is a settled law that news published in the newspapers cannot always be treated as an authentic source of information. It is only a reporting by local newspapers. In order to invoke the jurisdiction of Public Interest Litigation, the petitioner must have personal knowledge and the information received from the official documents under the RTI Act.

4. Newspaper reports by themselves constitute secondary or hearsay evidence. As affirmed in landmark rulings in judgements such as *Laxmi Raj Shetty v. State of Tamil Nadu reported in 1988 (3) SCC 319* and *S.A. Khan v. Bhajan Lal reported in 1993 (3) SCC 151*, a statement of fact contained in a newspaper is not "proved" simply by producing the publication. Without examining the author/reporter or producing corroborating primary evidence, newspaper reports cannot serve as sole substantive evidence.

5. The petitioner has not disclosed his antecedents to show that he is a public-spirited person. It is not a case of the petitioner that he contacted the respondents to collect information under RTI and the information was not supplied. Therefore, merely on the basis of paper news, this Court cannot take cognizance in the PIL under Public Interest Litigation.

6. In the case of *Holicow Pictures Pvt. Ltd. v. Prem Chandra Mishra reported in (2007) 14 SCC 281*, the Supreme Court held that before accepting a PIL, the Court must satisfy itself regarding three aspects such as the credentials of the applicant. The *prima facie* correctness or nature of the information supplied, and the information not being vague, indefinite, or based merely on press reports. Likewise, in the case of *D. Kishore Samrite v.*



State of U.P. reported in (2013) 2 SCC 398, the Supreme Court detailed the duties of a PIL litigant, emphasizing that abuse of judicial process by suppressing facts or filing petitions driven by hidden motives must be met with severe penal costs and dismissal.

7. However, in Chapter XIII, Rule 13 onwards of the High Court Rules prescribe a statutory procedure for filing public interest litigation. Rule 13, contemplates that while filing a Public Interest Litigation the registered organization, social group or individual, who indicates the social public standing professional status and public spirited antecedents of the person acting *pro bono* public can file a Public Interest Litigation. Thereafter, Rule 14 contemplates that the petition should indicate the person filing the petition, his social standing, professional status and public spirited antecedents.

8. In the case of *Surendra Pratap Singh v. State of M.P.* reported in (2019) 1 MPLJ 75 and *Piyush Jain v. State of M.P.* reported in 2024 SCC OnLine MP 5247, this High Court reaffirmed that a petitioner must place on record concrete evidence of past social work and continuous public-spirited antecedents in the relevant area before invoking extraordinary writ jurisdiction.

9. In view of the above, the present writ petition (PIL) is **dismissed**.

(VIVEK RUSIA)
ACTING CHIEF JUSTICE

(PRADEEP MITTAL)
JUDGE