



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.3331 OF 2021

Maharashtra Rajya Apang Karmachari Sanstha ...Petitioner

V/s.

The State of Maharashtra & Ors. ...Respondents

Dr. Uday Warunjikar for the Petitioner.

Mr. Abhay Patki, Add. GP, for Respondent State.

Mr. Pratibha Shelke i/b. Ms. Shilpa Redkar for Respondent-BMC.

CORAM : SUNIL B. SHUKRE, AND

FIRDOSH P. POONIWALLA, J.J.

DATE : 29th SEPTEMBER 2023

PC.

1. Heard.

2. Dr. Warunjikar, learned Counsel for the Petitioner invites our attention to the order dated 26th June 2023. On going through the order, we find that it takes note of the difficulties being faced by the orthopedically disabled persons and seeks to reduce their difficulties by providing necessary infrastructure, equipments and other facilities. Obviously, the State Government as well as the Municipal Corporation would have to take appropriate decisions for providing all necessary infrastructure, equipments and vehicles by earmarking certain funds and for this purpose, necessary steps would be required to be taken by the authorities.

3. Learned AGP submits that boosting up of the infrastructure and providing of all the necessary facilities has to be done in respect of all the government buildings in the entire State of Maharashtra. It would be necessary for Government to gather necessary information from entire state of Maharashtra and it would be only upon receipt of such an information that the State Government would be in a position to take appropriate decision. He submits that for completion of this exercise, further time would be required. Similar submission made on behalf of the Corporation.

4. We understand the enormity of the task involved in the exercise, but as rightly submitted by learned Counsel for the Petitioner, the State Government as well as Municipal Corporation must place on record the steps which they have taken so far in collecting the necessary information and collating it. As we find now, no such material has been placed before this court. We therefore, request learned AGP and also learned Counsel for the Corporation to place on record the relevant material showing effective steps taken by the State Government as well as the Corporation.

5. Considering the fact that this matter is pending since the year 2021 and so far nothing has moved towards providing of some relief and respite to physical challenged persons working in the State Government/Corporation and visiting the offices of the State Government and Corporation, it is necessary now that some time limit is prescribed by

this court for the authorities to complete the entire exercises. Accordingly, we direct the State Government and also Corporation to complete the entire exercise discussed in the earlier paragraph, in a time bound manner preferably within a period of eight weeks and submit its report to this court.

6. Leave is granted to Petitioner to file on record Additional Affidavit and also be furnished to the other side.

7. At this stage Dr. Warunjikar, learned Counsel for the Petitioner has put across the bar one more difficulty being experienced by the orthopedically disabled persons who are using wheel chairs for their movement. He submits that whenever such persons have an occasion to visit government offices and Court buildings including High Court Building at Mumbai, invariably they find that there is no such toilet or washroom available wherein where such persons can enter on a wheel chair. He submits that in the building of this Court at Mumbai this problem is even more acute and there is not a single toilet or washroom available wherein such persons can use the washroom or toilet while sitting on the wheel chair. The difficulty stated on behalf of the Petitioner is genuine and needs to be addressed appropriately and at the earliest by the administration. We would, therefore, request the registry to consider this difficulty, prepare an appropriate proposal for either conversion of one of the washrooms in High

Court building at Mumbai into a washroom to be used for the wheel chaired, orthopedic disabled persons and place it before the appropriate committee for its due consideration as early as possible. Registrar (Original Side) is requested to do the needful.

8. Stand over to 7th December 2023 “for directions”.

(FIRDOSH P. POONIWALLA, J.)

(SUNIL B. SHUKRE, J.)