

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

PUBLIC INTEREST LITIGATION NO.82 OF 2014

[Rajesh s/o Mahadeo Gajghate .vs. The Chief Secretary, Govt. of Maharashtra, Mumbai and others]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

None for the petitioner,
Mrs. B.H. Dangre, Government Pleader for the respondent nos.1 to 4,
Shri Kukday, counsel for the respondent no.5.

CORAM : SMT. VASANTI A. NAIK AND
A.M. BADAR, JJ.

DATED : APRIL 10, 2015.

By this petition which is registered as a Public Interest Litigation, the petitioner seeks a direction to the respondents to constitute eight more additional Motor Accident Claims Tribunals at Nagpur.

It is stated that two, out of the four, Motor Accident Claims Tribunals do not have a Presiding Officer and only two are working. It is stated that considering the pendency of the cases in the Motor Accident Claims Tribunals at Nagpur, constitution of eight more additional Motor Accident Claims Tribunals at Nagpur is necessary.

The respondent nos.1, 3 and 4 have filed the affidavit-in-reply of the Deputy Secretary, Government of Maharashtra, Home (Transport) Department, Mantralaya, Mumbai. It is stated in the affidavit-in-reply that in Mumbai eight Motor Accident Claims Tribunals are established, whereas in Nagpur there are four. It is stated that only one Motor Accident Claims Tribunal is established in Thane and in Pune. According to the respondent nos.1, 3 and 4, the pendency of the cases in the Nagpur Tribunal is of around 6000 cases. It is stated that two Tribunals in Nagpur, which were not functioning due to absence of the Presiding Officer, are made functional as a Notification in that regard has been issued on 22.12.2014. It is stated

that presently all four Tribunals are functioning.

We do not find, on a reading of the affidavit-in-reply, that the four Tribunals in Nagpur are overburdened and that there is a need to set up eight additional Tribunals in Nagpur, at this stage, as in Pune and Thane, only one Motor Accident Claim Tribunal is working.

In view of the aforesaid, we dispose of the Public Interest Litigation with no order as to costs.

JUDGE

JUDGE

Gulande