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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

PUBLIC INTEREST LITIGATION No. 147 OF 2015

Citizen's Unity Forum, Panvel ... Petitioner
Vs.
The State of Maharashtra & Ors. ... Respondents

None for the Petitioner.

Mr. N. C. Walimbe, AGP for the Respondent – State.

Mr. Ramakant Patil i/b Sandeep V. Marne, for Respondent No. 3.

CORAM : V. M. KANADE, &
Smt. SWAPNA S. JOSHI, JJ.

DATE : SEPTEMBER 1, 2016

PC.

1. None appears on behalf of the Petitioner. Heard the learned AGP appearing on behalf of the Respondent – State, and the learned counsel appearing for Respondent No. 3. The Petitioner is seeking following reliefs in this PIL:

“(a) that this Hon'ble Court may be pleased to issue a writ of mandamus or any other writ of appropriate nature and pass an order or direction directing the

Respondent No. 3 & 4 to ensure and cause the Auto Rickshaws in the areas of Panvel, Kalambole, Khandeshwar, Mansarovar, Kamothe, Taloje, etc. to ply by tariff & meter and observe the Motor Vehicle Act, 1988 and Motor Vehicle Rule, 1989; and

- (b) that this Hon'ble Court may be pleased to issue a writ of mandamus or any other writ of appropriate nature and pass an order or direction directing the respondents to start and cause the regular and hassle free smooth plying of bus services and such other transport services to protect the interest of innocent commuters; and
- (c) that this Hon'ble Court may be pleased to issue a writ of mandamus or any other writ of appropriate nature and pass an order or direction directing the Commissioner of Police, Navi Mumbai to take proper and appropriate measures to ensure the illegal protest of the miscreants and save the innocent commuters from extortion.
- (d) interim and ad-interim relief in terms of prayer clause (a) to (c) above be granted;
- (e) any other further order and / or direction be given as the nature and circumstances of the case may require.”

2. We are afraid that we will not be in a position to give a direction which is sought by the Petitioner while exercising our writ jurisdiction under Article 226 of the Constitution of India.

3. Secondly, the prayers of the Petitioner are of general nature and the general declaratory reliefs cannot be granted by this Court while exercising our writ jurisdiction under Article 226 of the Constitution of India. Public interest litigation is, therefore, dismissed.

Sd/-

[Smt. SWAPNA S. JOSHI, J.]

Sd/-

[V. M. KANADE, J.]

Vinayak Halemath