

JPP

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

PUBLIC INTEREST LITIGATION NO. 74 OF 2017

Mr. Rajkumar M. Chorghe.

... Petitioner.

V/s.

General Manager, Western Railway,
Churchgate, Mumbai & Ors.

... Respondents.

Mr. Indrajeet Kulkarni for the Petitioner.

Ms. M.P. Thakur, AGP for Respondent 3 - State.

***CORAM : DR. MANJULA CHELLUR, C.J. &
N.M. JAMDAR, J.***

DATE : SEPTEMBER 21, 2017.

P.C. :-

The Petitioner is before this Court seeking following reliefs as a *pro bono publico* :-

- “1. This Hon'ble Court by an order may kindly direct the Respondents to start ladies special train from Dahanu to Churchgate and back.*
- 2. Any other and further relief as in the nature and circumstances of the case deems fit may kindly be granted.”*

2. The main purpose of filing this Public Interest Litigation is to start ladies special train from Dahanu to Churchgate and back. Apparently, there are special ladies trains already running from Churchgate to Virar and back. We note that on an earlier occasion, Public Interest Litigation No. 59 of 2011 came to be filed seeking operation of local trains between Churchgate to Dahanu and Virar and where the Respondents placed on record in the rejoinder certain details and the matter came to be disposed of without any positive directions.

3. Apparently, the said issue has nothing to do with the special category meant for ladies. It was a general prayer. Depending upon the population belonging to a particular category whether there is necessity and requirement to extend the special ladies train upto Dahanu is definitely a policy decision. If there was no other form of commutation from one place to another place, then the Court can intervene to remind the State to provide such public transportation. Here the prayer is to extend ladies special train from Dahanu and Churchgate and back. Whether there is such need and what is the criteria to be looked into for giving such special concession or special trains depends upon various factors. It would be advisable to direct the Petitioner to make a detailed representation giving details why such requirement has to be extended from Dahanu to Churchgate namely the details how

many ladies travel between these two places during which time and for what purpose, then the policy makers can take a call on the issue.

4. Therefore, without expressing any opinion on the merits of the claim of the Petitioner, we direct the Petitioner to submit a representation to the Respondent – Authorities within one month from today and the same shall be considered by taking a decision after considering the necessity for such benefit to be extended. Such decision shall be taken within three months from the date of submission of the representation.

5. With the aforesaid directions, the Public Interest Litigation is disposed of.

(N.M. JAMDAR, J.)

CHIEF JUSTICE