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

WRIT PETITION NO. 2964 OF 2017

Yasmin E. Tavaria	...Petitioner
VS	
Union of India & Ors.	...Respondents

.....
Ms Sneha Masani i/b Ms Mandakini R Bangale for the Petitioner
Mr Y.S.Bhate for Respondent Nos.1 to 3.
Mr Aditya Mehta a/w Ms Ipshita Sen & Mr Praveen Kejriwal i/b
M/s Gagrats for Respondent No.5.
.....

CORAM : **B.R.GAVAI &
B.P.COLABAWALLA, JJ.
DECEMBER 15, 2017.**

P.C. :

The Petitioner has approached this Court praying for a direction to Respondent Nos. 4 and 5 as also all the scheduled airlines to perform and withdraw the sale of seats in the first row of the aircraft and block the same for persons with disability and/or reduced mobility. There are two hurdles in the way of the Petitioner. Firstly, Respondent Nos.4 and 5 are the private airlines. We have our doubts as to whether a writ under Article 226 of the Constitution of India could be issued to such an entity.

2 At this stage, the learned Counsel for the Petitioner states that the Petitioner intends to carry out an amendment to seek directions against the appropriate authorities for this purpose. The same difficulty as mentioned earlier would come in the way of the Petitioner. The allotment of seats etc. are purely commercial matters.

3 In any case, even if the Petition is amended, any such directions cannot be issued by the Court as it would be wholly within the policy making decision of the State to issue such directions. It is not for this Court to direct the State to frame its policy in the particular manner. The Writ Petition is, therefore, without merit and is accordingly dismissed. There shall be no order as to costs.

(B. P. COLABAWALLA, J.)

(B.R.GAVAI J.)