

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 1840 OF 2018**

Mohammed Mehdi Mansoorian	...Petitioner
Versus	
The Assistant Police Commissioner, Traffic Division & Ors.	...Respondents

Mr. Sanjeev Sawant I/b Mr. A. P. Deshmukh for the Petitioner

Mr. Dushyant Kumar, A.G.P for the Respondent Nos. 1 to 4 & 7/State

Ms. D. Kapadia a/w Ms. Trupti Puranik for the Respondent Nos.
5 & 6/MCGM

**CORAM : B. P. DHARMADHIKARI &
REVATI MOHITE DERE, JJ.
WEDNESDAY, 16th JANUARY 2019**

P.C. :

1 Submission of petitioner is, on 2nd September 2005, after proper consideration, Stand in front of Dharavi Urdu School No. 1 was cancelled and capacity of Taxi Stand on Dharavi main road was proportionately increased. This situation continued till 2012 and in 2012, suddenly a Board of Tax Stand was again affixed near Dharavi Urdu School No. 1 and Stand has been functioning. Our attention has also been drawn to inquiries made by Traffic Department with Regional Transport Authority about legality of this exercise.

2 Learned A.P.P appearing for respondents 1 to 4 and 7 points out that Stand appears to be functioning since 2012 and the competent Authority namely Regional Transport Authority has not been impleaded as party-respondent.

3 The respondent Nos. 5 and 6 submit that they have no control on this situation.

4 It appears that decision in 2005 was taken by Regional Transport Authority. The respondents (Police Department) have, therefore, inquired with that Authority about change in position.

5 Considering the fact that position obtaining today is prevailing since 2012, we are inclined to grant petitioner an opportunity to make appropriate representation pointing out the accidents, need of security, etc., to competent Officer with Regional Transport Authority.

6 If such representation is made within four weeks from today, we direct respondent No. 7-State to see that suitable decision is taken upon it within next two months.

7 With these directions and keeping contentions of parties open, we dispose of the petition.

REVATI MOHITE DERE, J.

B. P. DHARMADHIKARI, J.