

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

PUBLIC INTEREST LITIGATION NO.116 OF 2014

Mr. Rajkumar Shukla

..Petitioner

Versus

The State of Maharashtra and others

..Respondents

None for the Petitioner.

Ms. P. H. Kantharia, Govt. Pleader a/w Ms. Deepali Patankar,
Assistant to Govt. Pleader for the Respondent Nos.1 & 2 – State.

Mr. B. M. Chatterjee, Senior Advocate a/w Ms. K. H. Mastakar,
Advocate for Respondent No.4 – MCGM.

**CORAM : PRADEEP NANDRAJOG, C.J. &
N. M. JAMDAR, J.**

DATE : 8th JULY, 2019

P.C.

1] Filed in the year 2014, the Public Interest Litigation draws attention of the Court to chaos on the streets of Chira Bazar, Kalbadevi, Bhuleshwar, Mumbai Devi, Abdul Raheman Street, Lohar Chawl, Crawford Market, Bhendi Bazar, Pydhonie, Dhanji Street, Narayan Dhuru Street, Dana Bunder, Bhat Bazar and Masjid Bunder.

2] The photographs filed show that the streets are narrow. The area appears to be highly commercial. At the plinth of streets there are shops.

3] It is pleaded in the Public Interest Litigation that the Petitioner has been writing letters to the authorities such as Assistant Commissioner of the ward concerned of the Bombay Municipal Corporation and the traffic department. The Petitioner wants a solution from this Court by directing the Police authorities to regulate the traffic and for any vehicle parking unauthorizedly the owner be fined. That enough police personnel should be directed to patrol the streets and take drastic action against the offenders.

4] From time to time orders have been passed in the Public Interest Litigation and status reports have been filed. Proposed measures to be taken are indicated in the reports. But the chaos continues.

5] In jurisdiction abroad, social awareness has reached a level where the citizen themselves follow the municipal laws which they know are framed for their benefit. For reasons unknown, this is not happening in India.

6] Be that as it may, the rule of law is that a Court would not deal with issue which do not have judicially maintainable standards and would not issue direction which need constant supervision. However, at the same time, it cannot be overlooked that if there are traffic laws as also municipal laws governing issues such as parking on streets, authorities have to ensure compliance thereof.

7] We dispose of the Petition directing the traffic authorities to ensure that within the man power available with the traffic police, more traffic constables be deployed in the areas in question, so that the fear of law looms large and this perhaps would be a deterrent for the persons unauthorizedly parking their vehicles on the streets in the areas in question.

N. M. JAMDAR, J

CHIEF JUSTICE