



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

1033 CRIMINAL SUO-MOTO PUBLIC INTEREST LITIGATION
NO. 1 OF 2024

THROUGH AMICUS CURIAE
VERSUS
THE UNION OF INDIA AND OTHERS

...
Advocate for the Petitioner : Mr. Nimbalkar Aniruddha A.
DSGI for Respondent Nos. 1 & 2/U.O.I.: Mr. A.G. Talhar
AGP for Respondent Nos. 3 & 4/State : Mr. A.B.Girashe
Advocate for Respondents No. 5 : Mr. Kadethankar Ajit B.
Advocate for Respondents No. 6 : Mr. V.D. Salunke, Senior
Counsel

...

CORAM : SMT. VIBHA KANKANWADI &
R. W. JOSHI, JJ.

DATE : 26.11.2024.

PER COURT :

1. We have heard the amicus curaie, learned AGP for Respondent Nos. 3 and 4, learned Advocate Mr. Kadethankar for Respondent No. 5, learned Advocate Mr. Salunke, for Respondent No. 6 being member of Bar Council of Maharashtra and Goa, but he submits that he would take instructions from the Chairman, regarding Vakalatnama to be filed as well as

affidavit to be filed.

2. Learned AGP makes a statement that he would collect the data as to what is the existing provision that is made for the security through out the Courts i.e. the Principal Seat, Benches of this Court, District Courts and Taluka Courts as well as Family Courts and he would file comprehensive affidavit in reply touching all the aspects and on behalf of State he assures that every effort will be done for providing security arrangement in the Courts in the State of Maharashtra. He also assures that the road map or policy in that behalf would be discussed by the Chief Secretary, Principal Secretary of Home Department and the Principal Secretary of the Law and Judiciary Department in that behalf.

3. Taking into consideration the incident which is reported in Crime No. 473 of 2024, registered with Pundlik Nagar Police Station, Chhatrapati Sambhajnagar, we direct the Commissioner of Police, Chhatrapati Sambhajnagar to file affidavit regarding the status of the investigation and also of the measures he would undertake for the security of this Bench.

4. Learned Advocate Mr. Kadethankar submits that he has already made communication with the Registrar, (General) of this Court and sought information on five points which reads as under :

(1) What is the existing condition of security provision including the security force at the Courts in the State ? (Trial Courts, District Courts and all Benches of the Honourable High Court).

(2) Whether at any point of time an issue has been taken up by the High Court administration to the State Government, Commissioner of Police, District Collectors, PWD Department etc. concerning the security provisions made/available/required at all Courts of Law in the State ?

(3) Whether the State authorities have responded to any such issue, if raised by the High Court administration ? If yes, what's the response ?

(4) How does the High Court Administration appreciate the existing security provision at all levels of the Courts ?

(5) What are the suggestions/requirements of High Court administration to cover security of Courts adequately ?, including deployment of

*adequate and competent security authorities,
machinery etc.*

5. He also submits that after the data is received by him, he would file an affidavit of a responsible officer of this Court.

6. It will not be out of place to mention here that, this Court has raised concern regarding the lack of security arrangement in the Courts of State of Maharashtra in the order dated 15.03.2024 in Criminal Writ Petition No. 228 of 2024. The State is duty bound to ensure that appropriate security arrangements are made so that untoward incident is not reported. We also observe that if the security arrangements are properly made, then the public who visits the Court and also learned Advocates would feel safe to work in good environment. Further of course, the Judicial Officers working at Taluka places as well as District Places would also get assurance and therefore, such arrangements are necessary. We also take the note of the fact that in the past the Hon'ble Supreme Court has issued certain guidelines and even such guidelines have been

issued at the Principal Seat, may be in different context, and therefore, when such environment is required to be provided to all the stake holders of the judicial delivery system through necessary data and upon genuine demands of the stake holders they are required to be noted first and therefore, we direct that there should be affidavit of the concerned officers as well as on behalf of respondent No. 6 to be filed on or before 18.12.2024.

7. Copy of the same to be exchanged to each other.

8. Place the matter for further consideration on 20.12.2024.

(R.W. JOSHI)
JUDGE

(SMT. VIBHA KANKANWADI)
JUDGE

mahajansb/