

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

WRIT PETITION NO.1581 OF 2023

Access to Hope

..... Petitioner

Vs.

Brihanmumbai Electric Supply
and Transport (BEST) & Ors.

..... Respondents

Ms. Sahana Manjesh for the Petitioner

Shri Nikhil Sakhardande, Senior Advocate a/w. Shri Sagar Shettry, Ms. Shubhra Swami and Ms. Shraddha Nagaonkar I/b. Sagar Shettry for Respondent No.1 – BEST

Ms. Oorja Dhond I/b S.K. Sonawane for Respondent No.2 -MCGM

Shri P. P. Kakade, Government Pleader with Shri O. A. Chandurkar, Addl.GP and Ms. R. A. Salunkhe, AGP for Respondent No.3 - State

Mr. Jamshed Mistry appointed as *Amicus Curiae* a/w. Ms. Ronita Bector

**CORAM: DEVENDRA KUMAR UPADHYAYA, CJ. &
ARIF S. DOCTOR, J.**

DATE : MARCH 27, 2024

P.C.

1. This petition, though has been filed as a Civil Writ Petition, however, having regard to the nature of issues raised and the prayer made in the Petition, we treat it as a PIL.

2. Office is, accordingly, directed to renumber the Petition as PIL Petition.

3. On the oral prayer made by the learned Counsel for the Petitioner, let Respondent Nos.2 and 3 be deleted from array of the Respondents and the Municipal Corporation of Greater Mumbai as also the State Government, through the Principal Secretary, Urban Development Department be impleaded as Respondent Nos.2 and 3, respectively.

4. Necessary amendments shall be incorporated by the learned Counsel representing the Petitioners during the course of the day. Reverification is dispensed with.

5. Issue notice to the Respondents.

6. Shri Shetry, learned Counsel representing the BEST has put-in appearance and waives service of notice.

7. On our request, notice of this petition has been accepted by Ms. Oorja Dhond, learned Counsel on behalf of the MCGM. She, accordingly, has put-in appearance on its behalf and has waived service of notice. Learned Government Pleader appears for Respondent No.3 and waives service of notice on behalf of the State.

8. The Respondents shall file their Affidavits-in-Reply within three weeks. Two weeks thereafter shall be available for the learned Counsel appearing for the Petitioners to file rejoinder affidavit, if any.

9. The Respondents while filing the affidavits-in-reply shall clearly indicate as to what steps at their end have been taken for implementing the Harmonised Guidelines and Space Standards for Barrier Free Built Environment, 2021 so far as bus stops and bus terminals in the MCGM area are concerned.

10. Having regard to the importance of the subject matter of this Petition which concerns itself with the accessibility issues being faced by the disables, we appoint Shri Jamshed Mistry, as *Amicus Curiae* to be assisted by Ms. Ronita Bector.

11. Office to provide copy of the paper book of this Petition to the learned *Amicus*, within 10 days.

12. Stand over to **10th July 2024.**

(ARIF S. DOCTOR, J.)

(CHIEF JUSTICE)