

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/WRIT PETITION (PIL) NO. 118 of 2020****With****CIVIL APPLICATION (FOR JOINING PARTY) NO. 1 of 2020****In R/WRIT PETITION (PIL) NO. 118 of 2020****With****CIVIL APPLICATION (DIRECTION) NO. 1 of 2021****In R/WRIT PETITION (PIL) NO. 118 of 2020****With****CIVIL APPLICATION (FOR JOINING PARTY) NO. 2 of 2020****In R/WRIT PETITION (PIL) NO. 118 of 2020****With****CIVIL APPLICATION (FOR DIRECTION) NO. 5 of 2021****In R/WRIT PETITION (PIL) NO. 118 of 2020****With****R/SPECIAL CIVIL APPLICATION NO. 9506 of 2021****With****R/SPECIAL CIVIL APPLICATION NO. 14157 of 2020**

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AMIT MANILAL PANCHAL**Versus****STATE OF GUJARAT**

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Appearance:
 PARTY IN PERSON(5000) for the Applicant(s) No. 1
 MR KAMAL TRIVEDI, ADVOCATE GENERAL WITH MS MANISHA
 LAVKUMAR, GOVERNMENT PLEADER WITH MR VINAY BAIRAGRA, AGP
 for the Opponent(s) No. 1
 for the Opponent(s) No. 1,12,13,14,15,2
 MR DHAVAL G NANAVALI(2578) for the Opponent(s) No. 11,7
 MR HS MUNSHAW(495) for the Opponent(s) No. 10,5,6,8,9
 MR SATYAM Y CHHAYA(3242) for the Opponent(s) No. 3
 NOTICE SERVED(4) for the Opponent(s) No. 4

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CORAM: HONOURABLE MR. JUSTICE N.V.ANJARIA**and****HONOURABLE DR. JUSTICE A. P. THAKER****Date : 13/10/2021****ORAL ORDER****(PER : HONOURABLE MR. JUSTICE N.V.ANJARIA)**

In course of today's hearing, party-in-person re-emphasised order of the Apex Court dated 27th August, 2021 passed in Suo Motu Writ Petition (C) No.7 of 2020 and other allied appeals, to submit that while directing to keep in abeyance Notification dated 08th July, 2021 the Supreme Court has required

the State of Gujarat to have proactive steps to ensure that rule of law is observed with regard to fire safety measured in the State of Gujarat, submitted that though the steps are taken, by the State in that direction, they are not adequate. He further produced on record the report of Justice D.A. Mehta Inquiry Commission which conducted inquiry in relation to incident of fire in the hospitals at Rajkot and Ahmedabad. Parties are at liberty to assist the Court on the basis of said reports.

2. He further relies on orders of the Supreme Court dated 08th September, 2000 and 04th October, 2002 in **Associated Intermediates & Chemicals v. Lok Adhikar Sangh** being **Special Leave to Appeal (Civil) Nos.5421-5422 of 2000** and **Arjun Madanpal Singh v. Lok Adhikar Sangh** being **SLP (C) Nos.15929-15930/2001** respectively.

3. On the other hand, learned Advocate General with learned Government Pleader drew attention of the Court to the further affidavit dated 06th October, 2021 filed by them. It was submitted on the basis of the contention of the said affidavit that the State of Gujarat is alive to the issue and has been taking required steps in the entire State of Gujarat to see to it that the fire safety norms are complied with by the hospitals, schools, commercial complexes and other buildings wherever such requirement is prescribed to be complied with in law.

4. While we take note of the rival submissions

made today, we find from the further affidavit of the State that it speaks of the steps taken mainly in Nagarpalika areas.

5. The Court also expects the authorities to act time-bound since the compliance of the fire safety norms is an issue which cannot book delay, in view of the directions of the Apex Court and further in view that it involves life and safety of people at large including class of patients and students.

Stand over to 28th October, 2021.

(N.V.ANJARIA, J)

(DR. A. P. THAKER, J)

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