

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

**INTERIM APPLICATION NO. 8622 OF 2025
IN
WRIT PETITION NO. 14456 OF 2024**

Jaideep Marathe ...Applicant
Versus
The State Of Maharashtra Thr The
Secretary - Prin. Secretary, Dept. Of
Public Health And Ors ...Respondents

Mr. Ketan A. Dhavle, for Applicant.

Ms. Vrushali R. Raje, AGP for Respondent-State.

**CORAM : M.S. Sonak &
Advait M. Sethna, JJ.**

DATED : 19 September 2025

P.C.:-

1. Pursuant to the directions in our order dated 21st August 2025, the Secretary, District Legal Services Authority (DLSA) has filed a report dated 03rd September 2025. A copy of this report is directed to be made available to Ms Raje, learned AGP and to Mr Ketan Dhavle, learned counsel for the applicant. We have no doubt that they will maintain confidentiality regarding the contents of this report.

2. We will hear the learned counsel for the parties and the Secretary of the DLSA on this report on the next date of

hearing.

3. Apart from the issues raised in this petition, in our order dated 21st August 2025, we referred to the order dated 22nd March 2024 in Public Interest Litigation No. 43 of 2022 in the case of *Dr Harish Shetty vs. The State of Maharashtra & Ors¹*. In that case, this Court had issued certain directions with regard to the effective implementation of the provisions of the Mental Healthcare Act, 2017, along with other connected issues therein. We had also requested the State to come up with a mechanism to deal with the issue of persons who live alone and are physically or mentally unable to take care of themselves.

4. Ms Raje learned that AGP states that the Secretary (Health), Government of Maharashtra, will file an affidavit in this matter, explaining the steps that have already been taken and the steps that could be taken to address this serious issue. Considering the seriousness of the issue, it is appropriate that the Secretary (Health) reviews the situation and files an affidavit in this matter.

5. The Secretary (Health) must file an affidavit furnishing all details and the proposal by 17th October 2025, after furnishing an advance copy to the learned counsel for the applicant and the Member Secretary of the DLSA.

6. Considering the larger issues raised in this petition, we request Senior Advocate Mr J.P. Sen to assist us as Amicus

¹. 2024:BHC-AS:14276-DB.

Curiae. We note that even in the case of Dr Harish Shetty (supra), Mr Sen had most ably assisted this Court as Amicus Curiae.

7. In addition to the above, we also request Dr Harish Shetty, who has considerable experience in this field and has always contributed immensely to the welfare of the mentally challenged, to assist us in this matter.

8. The Registry is directed to forward all the case papers along with all orders passed in this petition to Mr J.P. Sen, Senior Advocate and Dr Harish Shetty as expeditiously as possible, and in any event, within one week from today.

9. An authenticated copy of this order, which incorporates our request, may also be forwarded to Mr J.P. Sen and Dr Harish Shetty, along with the entire paper book containing the case paper book and the orders made in this petition.

10. The affidavit of the Secretary, as directed to be filed, must also be served upon Mr J.P. Sen and Dr Harish Shetty.

11. We list this petition for further consideration on 7th November 2025.

(Advait M. Sethna, J)

(M.S. Sonak, J.)