

Sayali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 14456 OF 2024
WITH
INTERIM APPLICATION NO.8622 OF 2025

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Jaideep Marathe ...Petitioner

Versus

The State of Maharashtra and Others ...Respondents

Mr. Ketan A. Dhavle, for the Petitioner.

Ms. V. R. Raje, AGP for State.

Dr. Shetty, present in Court as amicus curie.

*Mr. Rohan K. Sathaye, Advocate from Mr. J. P. Sen's Chamber
Amicus Curie.*

Mr. Ravindra Pajankar, DLSA Secretary, Thane.

Mr. Prashant Abhang with Secretary DLSA.

Ms. Jyoti S. Vichare, Assistant Legal.

Mr. Jaideep Marathe, Petitioner in person, present.

*Dr. Prachi Chivate, Deputy Superintendent Thane Mental
Hospital MBBS DNB (Psychiatry).*

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

DATED: 07 NOVEMBER 2025

PC:-

1. Heard the learned Counsel for the parties and Dr. Shetty, who has graciously agreed to assist this Court as an amicus curiae. Mr. J. P. Sen, the learned Senior Advocate, who has been appointed as an amicus curiae, is reported to be indisposed today.

2. Affidavits have been filed on behalf of the State Government, and the report has been filed on behalf of the District Legal Services Authority, Thane.

3. Dr. Shetty, who is present in person, has also filed a note containing his recommendations on the larger issue involved in this Petition. The copies of the affidavits and reports have been duly exchanged.

4. We propose to hear this Petition on 26 November 2025 at 3.00 p.m. and accordingly direct that this matter be posted on the said date and time.

5. In the meanwhile, Mr. Ketan Dhavle, the learned Counsel for the Petitioner, invites our attention to the DLSA report, which refers to Dr. Netaji Mulik, the Medical Superintendent, Regional Mental Hospital, Thane, stating that Mr. Vaibhav Sathe is now fit for discharge.

6. Mr. Ketan Dhavle submits that it may not be appropriate for Mr. Vaibhav Sathe to return to his own apartment where he otherwise lives alone. Instead, he suggests that Mr. Vaibhav Sathe be shifted to a suitable halfway home as an interim measure so that his further improvement could be suitably monitored.

7. Dr. Shetty endorses the above suggestion but adds that the halfway home should be equipped to counsel Mr. Sathe and take care of his reasonable needs. Dr. Shetty cautions against Mr. Sathe simply being made to rest without having any useful and suitable activities.

8. Ms. V. R. Raje, the learned AGP, on instructions, suggests that Mr. Vaibhav Sathe may be immediately shifted to Ujjwal Rehabilitation Center, Vajreshwari, at Bhiwandi, or Jagruti Rehabilitation Center at Taloja. The Petitioner, Mr. Jaideep Marathe, suggests that Mr. Sathe be shifted to Jagruti Rehabilitation Center at Taloja so that the Petitioner, Mr. Marathe, would be in a position to regularly visit Mr. Sathe. There is no difficulty in accepting this suggestion.

9. Accordingly, we direct the Medical Superintendent of the Mental Hospital at Thane to issue the necessary discharge certificate and to make all necessary arrangements for shifting Mr. Sathe to the Jagruti Rehabilitation Center at Taloja.

10. Ms. Raje informs us that the Jagruti Rehabilitation Center at Taloja is a Government Empanelled Hospital. Accordingly, we direct the Jagruti Rehabilitation Center at Taloja to also admit and care for Mr. Sathe until further orders in this Petition.

11. The Commissioner of the Disabilities Department is directed to depute a responsible officer to ensure the shifting and admission of Mr. Sathe to Jagruti Rehabilitation Center at Taloja. All these processes must be completed within a week from today.

12. Ms. Raje, on instructions, states that the Jagruti Rehabilitation Center receives funds from the Government Disabilities Department and, therefore, there would be no question of requiring Mr. Sathe or the Petitioner to make any payments for his shifting, admission, or maintenance at the Jagruti Rehabilitation Center, Taloja.

13. Upon admission, the Petitioner must be permitted to visit Mr. Sathe by complying with the necessary rules and regulations regarding timings, etc.

14. We direct that this position should continue until further orders in this Petition. As it is, we are posting this Petition for further hearing on 26 November 2025 at 3.00 p.m.

15. We appreciate the services rendered by Mr. Ravindra Pajankar, DLSA Secretary, Thane, and Mr. Prashant Abhang, Assistant Secretary, DLSA (PLV), in assisting Mr. Sathe as well as this Court in this matter.

16. We request Mr. Ravindra Pajankar and Mr. Prashant Abhang to render all possible assistance to Mr. Sathe, particularly in the matters of discharge, shifting, and his admission at the Jagruti Rehabilitation Center, Taloja, so that there is minimum inconvenience caused.

17. We list this matter on 26 November 2025 at 3.00 p.m.

18. The other issues raised by Mr. Ketan Dhavle will also be considered on that date.

(Advait M. Sethna, J)

(M.S. Sonak, J)