

Arun

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
SUO MOTU PETITION NO. 1 OF 2023**

High Court on its Own Motion ...Petitioner
Versus
State of Maharashtra ...Respondent

**WITH
WRIT PETITION (L) NO. 31751 OF 2022**

Pankaj Kumar H Agrawal & Anr ...Petitioners
Versus
The State of Maharashtra & Anr ...Respondents

ARUN
RAMCHNDRA
SANKPAL

Digitally signed
by ARUN
RAMCHNDRA
SANKPAL
Date: 2023.02.07
19:20:07 +0530

Mr Anand Mishra, i/b Ashok M Saraogi, for the Petitioner.
Ms PH Kantharia, GP, with Amit Shastri, AGP, for Respondent
No.1-State.
Mr SU Kamdar, Senior Advocate, with Sagar Patil for the MCGM.

**CORAM G.S. Patel &
 Dr Neela Gokhale, JJ.**
DATED: 6th February 2023

PC:-

1. Mr Kamdar, learned Senior Advocate for the MCGM, has taken instructions regarding the question of walkable/usable pavements, sidewalks and footpaths in the city. He points out, and in our view correctly, that there are many issues that will require to

be addressed. He submits that he will place these on Affidavits. The Affidavits will identify the problems, indicate what the priority according to the MCGM is and what solutions are proposed.

2. We appreciate that there is indeed a complexity. Some of the matters we have identified earlier. These include questions of identifying spaces for licensed hawkers, preventing further encroachment by those licensed hawkers, balancing the requirement of hawkers with the requirements of pedestrians, ensuring a walkable surface on the footpaths, making provisions for the elderly and for the disabled, and apart from this, removing distinct obstructions to ensure that the footpaths are not used for overnight parking of vehicles as well.

3. These are by no means easy questions. But they must be addressed.

4. Mr Kamdar states that the a first Affidavit with the necessary details will be filed on or before 1st March 2023.

5. List the matter on 3rd March 2023.

(Dr Neela Gokhale, J)

(G. S. Patel, J)