

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

PIL-CJ-LD-VC No.33 OF 2020

**Chirag Chanani & Ors. } Petitioners
Versus
Union of India & Ors. } Respondents**

**And
PIL-CJ-LD-VC-IA No.1 OF 2020
IN
PIL-CJ-LD-VC No.33 OF 2020**

**Sagar Sahani } Applicant

In the matter between
Chirag Chanani & Ors. } Petitioners
Versus
Union of India & Ors. } Respondents**

**And
PIL-CJ-LD-VC-IA No.2 OF 2020
IN
PIL-CJ-LD-VC No.33 OF 2020**

**Nitin Bagonda Patil } Applicant

In the matter between
Chirag Chanani & Ors. } Petitioners
Versus
Union of India & Ors. } Respondents**

**And
PIL-CJ-LD-VC-IA No.3 OF 2020
IN
PIL-CJ-LD-VC No.33 OF 2020**

Chirag Chanani & Ors. } Applicants

In the matter between
Chirag Chanani & Ors. } Petitioners
Versus
Union of India & Ors. } Respondents

And
PIL-CJ-LD-VC-IA No.5 OF 2020
IN
PIL-CJ-LD-VC No.33 OF 2020

Ashley David Cusher } Applicant

In the matter between
Chirag Chanani & Ors. } Petitioners
Versus
Union of India & Ors. } Respondents

And
PIL-CJ-LD-VC-IA No.6 OF 2020
IN
PIL-CJ-LD-VC No.33 OF 2020

Venkatesh C. Kyathan } Applicant

In the matter between
Chirag Chanani & Ors. } Petitioners
Versus
Union of India & Ors. } Respondents

And
PIL (L.) No.3784 OF 2020

Bar Council of Maharashtra }
& Goa } Petitioner
Versus

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The Union of India & Ors. } Respondents

And

CIVIL WP-AS-DB-LD-VC No.157 OF 2020

Priyatosh R. Tiwari } Petitioner

Versus

The State of Maharashtra } Respondent

WITH

ORIGINAL SIDE

WRIT PETITION (L) NO. 5331 OF 2020

Rajas Ashish Naik & Anr. Petitioners

Versus

State of Maharashtra & Ors. Respondents

Mr.Shyam Dewani with Ms.Heena Kapoor and Ms.Bhoomi Kataria, i/b.Dewani Associates for Petitioners in PIL-CJ-LD-VC-33/2020

Dr.Milind Sathe, Senior Advocate with Mr.Prasad Dhakephalkar, Senior Advocate with Dr.Uday Warunjikar i/b.Sumit Kate, for the Petitioner in PIL (L) No.3784/2020.

Mr.Parth Zaveri for Applicants in PIL-CJ-LD-VC-IA No.1/20.

Mr.Uday Warunjikar, for the Applicant in IA 2/20.

Mr.Ashley David Cushar for Applicants in PIL-CJ-LD-VC-IA No.5/20.

Mr.Abhay Anturkar with Ranjit Shinde i/b. Ajinkya Udhane, for Applicant in IA 6/20.

Mr. Yashodeep Deshmukh a/w Mr. Mahadeo Sherekar i/b Akshay R. Kapadia for Petitioner in WP(L) 5331/2020

Mr.Anil Singh, ASG with Mr.Sandesh Patil,

Mr.T.J.Pandian, Mr.D.P.Singh, for Respondent No.1-UOI.

Mr.A.A. Kumbhakoni, A.G., with Ms.Purnima Kantharia, GP, with Ms.Jyoti Chavan, AGP for State.

Ms.K.H.Mastakar, for MCGM.

Akash Singh i/b Mr.A.M.Saraogi, for the Petitioner in WP AS DB LD VC 157/2020.

Mr.P.P.Kakade, Govt.Pleader with Smt.Nisha Mehra for State in WP AS DB LD VC 157/2020.

**CORAM :- DIPANKAR DATTA, CJ &
G. S. KULKARNI, J.**

DATE :- DECEMBER 1, 2020

PC :-

1. On the backdrop of the earlier orders, we have heard learned counsel for the parties for some time. As the High Court has commenced physical hearing of cases from today, the contention as urged at the Bar is that permission to the staff and clerks interalia registered with the Bar Associations to travel by local trains (Western Railway, Central Railway and Harbour Railway) be considered by the State Government and the Railways. Mr.Kumbhakoni, learned Advocate General for the State as also Mr.Singh, learned Additional Solicitor General have fairly agreed to consider this suggestion as urged on behalf of the petitioners. It is submitted that for this purpose, a meeting can be held this week itself, to resolve this issue

and to work out the modalities and mechanism, for grant of travel permissions to such persons.

2. The Railways and State Government would accordingly take a decision in regard to the travel permission to the staff and registered clerks of the following:-

- (i) Bombay Bar Association;
- (ii) Advocates' Association of Western India;
- (iii) Bombay Incorporated Law Society;
- (iv) Bombay High Court Law Library;
- (v) Kirtikar Law Library.

3. At this stage, Dr.Sathe, learned Senior Counsel appearing for the Bar Council of Maharashtra and Goa, would urge that some modification of the earlier orders would be necessary in the present circumstances, inasmuch as the lawyers be now permitted to travel even during peak hours. Mr.Kumbhakoni as also Mr.Singh agree to consider this issue as well, in the meeting that would be held.

4. Awaiting a decision as would be taken by the State Government and the Railways, we adjourn these petitions to **9th December, 2020.**

5. In the meantime, the interim orders passed by this court shall continue until further orders.

6. We are informed that the representatives of the Railways are present at today's hearing.

7. This order will be digitally signed by the Private Secretary/Personal Assistant of this court. All concerned will act on production by fax or e-mail of a digitally signed copy of this order.

Jayant V.
Salunke

Digitally signed by
Jayant V. Salunke
Date: 2020.12.01
13:53:30 +0530

(G. S. KULKARNI, J.)

(CHIEF JUSTICE)