

Chief Justice's Court

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Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 4 of 2021

Petitioner :- Shabih Fatima And 15 Others

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- In Person

Counsel for Respondent :- C.S.C.

Hon'ble Govind Mathur,Chief Justice
Hon'ble Saurabh Shyam Shamsbery,J.

The petitioners, 16 students of different colleges, have approached this Court to have complete implementation of the Rights Of Persons With Disabilities Act, 2016 and further to implement the directions as given by the Supreme Court in *Writ Petition (Civil) No. 243 of 2005, Rajive Raturi Vs. Union of India and Others.*

The petitioners before approaching this Court inspected eight buildings which are under occupation of different government departments. It is found that no adequate facilities and amenities are available at the buildings aforesaid for differently abled persons. Necessary details along with photographs of such buildings are also placed on record. It is asserted that the provisions of the Rights Of Persons With Disabilities Act, 2016 are mandatory in nature and, therefore, it must be implemented. It is further stated that not to implement the provisions of the Act of 2016 and the directions given by Apex Court in the case of *Rajiv Raturi (supra)* amounts to infringement of fundamental rights of differently abled persons as given under Article 14 and 21 of the Constitution of India.

Learned Standing Counsel appearing on behalf of respondent nos. 1, 2 and 3 wants some time to file a response to the petition for writ.

Time prayed for is allowed.

Let this petition for writ be listed on February 01st 2021. In the meanwhile, respondents may file a response to the writ petition.

We also deem it appropriate to direct the District Social Welfare Officer, Prayagraj to make a complete inspection of all the Government buildings situated in the town of Prayagraj with a team of Public Works Department including an officer not below the rank of Executive Engineer. A detailed report pertaining to the inspection

relating to application of the Act of 2016 and also the directions given by the Apex Court in the case of *Rajiv Raturi (supra)* shall be submitted to this Court on or before 01st February, 2021.

Order Date :- 8.1.2021

Rameez

(Saurabh Shyam Shamsbery,J.) (Govind Mathur,C.J.)