

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

PIL-CJ-LD-VC-11-2020

Center of Indian Trade Unions & Ors. Petitioners

V/s.

State of Maharashtra & Ors. Respondents

Ms. Gayatri Singh, Senior Advocate a/w. Kranti L.C. i/b.
Ronitta Bhattacharya Bector for the Petitioners

Mr. Anil C. Singh, Additional Solicitor General with Mr.
Aditya Thakkar and D. P. Singh for Union of India.

Ms. Poonam Kantharia, Government Pleader with Ms. Geeta
Shastri, Additional GP a/w. Mr. Amit Shastri, AGP and
Ms. Jyoti Chavan, AGP for State.

**CORAM: DIPANKAR DATTA, C.J. &
K.K. TATED, J.**

DATED : MAY 29, 2020

P.C.

1. This PIL Petition raises an important issue. According to the Petitioners, the migrant workers who have submitted applications for leaving the State availing Shramik Special trains and buses during the continuance of the Lockdown, have been left in the dark about the status of their applications and that till such time they can board the trains/buses to leave for their native places, they have been

made to live in cramped and unhygienic shelters, without being provided with food and other essentials.

2. Mr. Anil Singh, Additional Solicitor General, appearing for the Union of India submits that the Supreme Court is seized of the issue of migrant workers and a detailed order has been passed on May 28, 2020 taking care of the plight of such migrant workers.

3. Indeed, on perusal of the order dated May 28, 2020, we find that certain directions have been issued by the Supreme Court to all the States for simplifying and speeding up the process of registration of migrant workers as well as to provide help desk for registration at the places where they are stranded. All the State Governments have been directed to file their responses and the suo motu Writ Petition is due to be listed next on June 5, 2020.

4. At this stage, neither are we empowered nor do we wish to make any order contrary to the spirit of the order of the Supreme Court. However, having regard to the peculiar local conditions, we consider it fit and proper to call upon the State to file a report indicating therein how the plight of the migrant workers, who have been assembling at the

railway stations/bus stands in Mumbai and places around it, are being addressed. In fact, we have come across photographs in newspapers showing congregation of migrant workers not only on railway platforms but also on the streets adjoining the railway stations. Such congregation, if allowed, would run counter to the object, for which the Lockdown has been imposed.

5. In such view of the matter, let the State file a report by Tuesday, June 2, 2020, when we propose to take up this PIL Petition, once again. The report shall, inter alia, indicate the whole procedure that a migrant worker is required to follow in order to be eligible for leaving this State, the likely time within which he could board a train/bus, the nature of shelter he is provided with during the waiting period as well as provisions made available to him for his sustenance.

6. This order will be digitally signed by the Private Secretary of this Court. All concerned will act on production, by Fax or E-Mail, of a digitally signed copy of this order.

(K.K.TATED, J.)

(CHIEF JUSTICE)