

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

ADHOC NO. WP-LD-VC- 30 OF 2020

WRIT PETITION (STAMP) NO. OF

Mrs.Vineeta Tandon

...Petitioner

vs.

State of Maharashtra & Ors.

...Respondents

Mr.Harshvardhan Bhende with Regulus Advocates & Consultants for
Petitioner.

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

Mr.PP. Kakade, Government Pleader with M.M. Pabale, AGP for State.

CORAM : S.C. GUPTE, J.

DATE : 8 MAY 2020

P.C. :

The Petitioner is an animal welfare activist. The grievance of the Petitioner is that as a result of the lock-down ordered by the State due to Covid-19 pandemic, police stations under the jurisdiction of Respondent Nos.3 and 4 have been arbitrarily stopping citizens from taking their pets, more specifically dogs, for walks. It is submitted that police stations have issued arbitrary directions to housing societies to stop residents from taking their dogs for walks. It is also submitted that ambulances or pet taxies operated by NOGs and others to ferry animals from their shelters or pet owners to veterinary clinics and back are being arbitrarily stopped and obstructed by the police administration. It is submitted that the police administration is refusing to issue passes for these ambulances and pet taxies.

2 Learned Counsel for the Petitioner submits that the Petitioner's information is that the Central Animal Welfare Board has issued directions to State DGPs calling upon them to allow people to walk their dogs as a measure of prevention of cruelty to animals. The directive has been reported in the press. Learned Counsel, however, is not in a position to produce any such directive as of now. He seeks time to produce it on the next date.

3 Learned AGP submits that the State directives prohibit people from walking their dogs outside compounds of societies or homes and not from walking them within the compounds. Learned AGP also submits that so far as ambulances or pet taxies for ferrying of sick animals to and from veterinary clinics are concerned, the State has not asked its police administration to stop or obstruct such ambulances or pet taxies. The statements are noted and accepted.

4 If there is any directive issued by the Animal Welfare Board of India to the State DGPs in the matter of walking of dogs, the State must take an appropriate decision in that behalf and communicate the same to the court by this next date.

5 In the meantime, the State is directed to issue a clear directive to the police administration not to stop or obstruct ambulances or pet taxies for ferrying sick animals to and from veterinary clinics.

6 So far as walking of dogs and petering to their needs through animal fidders are concerned, the State to communicate its stand through an affidavit to be filed before this court by the next date.

7 S.O. to 15 May 2020

8 This order will be digitally signed by the Private Secretary of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

(S.C. GUPTE, J.)