

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

PUBLIC INTEREST LITIGATION NO. 86 OF 2003

Free Legal Aid Cell (NGO)

... Petitioner

Versus

Govt. of Maharashtra and Ors.

... Respondents

Sugan Chand Aggarwal @ Bhagatji, founder of petitioner present.
Mr. V.A. Thorat, Advocate General, with Mr. V.P. Malvankar, Assistant
Government Pleader, for the State.
Mr. K.G. Munshi instructed by Shaunak Satpute for All India Helmet
Manufacturers Association.

**CORAM: DALVEER BHANDARI, C.J. &
S.A. BOBDE, J.**

DATE: FEBRUARY 28, 2005.

P.C.

In the facts and circumstances of this case, we deem it proper to implead All India Helmet Manufacturers Association, 560, Sector-16A, Faridabad-121 002(Bombay address of its Secretary at 10, Adiabab, A.B. Nair Road, Juhu, Mumbai-400 049), as party respondent No.4 to this petition. Let the amendment be carried out within one week.

2. An affidavit has been handed over by the newly added respondent No.4 – All India Helmet Manufacturers Association, in court in which it is indicated that 28 helmet manufacturers all over India would be able to supply helmets of ISI specification as per the list available with the Bureau of Indian Standards. Out of the 28 manufacturers, 20 manufacturers are members of the Association. According to this respondent, the present manufacturers can manufacture approximately 5 lakh helmets per month. It is stated by the deponent that if the demand increases the manufacturing capacity can be increased by approximately 25 per cent in four to five weeks and another further 25 per cent in eight to ten weeks which would take the total manufacturing capacity to around 7.5 lakhs helmets a month. Apart from that, it is mentioned that about one lakh helmets are already available and ready for sale in the market and a further estimate of approximately three lakh helmets can be made available within a short period.

3. The learned counsel appearing for the added respondent submits that they would be able to supply 5 lakh helmets and about 4

lakh helmets which are presently available in the market would also be made available to the State on or before 31st March, 2005. We direct the added respondent to file a specific affidavit to this effect before the next date of hearing.

4. If total of about 9 lakh helmets are made available by 31st March, 2005, the same would meet the requirements of Greater Bombay. The learned Advocate General would also explore the possibility by which these helmets can be sold at authorised shop or specified places in Bombay and its price so that customers do not have to pay inflated amount. The learned Advocate General prays for two days time for this purpose. List this matter again on Thursday, 3rd March, 2005.

CHIEF JUSTICE

S.A. BOBDE, J.