

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

WRIT PETITION (CIVIL) NO.279/2022

DAVINDER SINGH NAGI

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

O R D E R

1. Heard learned senior counsel appearing for the petitioner.

2. At the outset, we must say that we are not disputing the *bona fides* of the petitioner and important issues raised by the petitioner. The main thrust of the petitioner is on having separate cycle tracks in all states. There is also a prayer for providing for proper footpaths.

3. As far as the construction of separate cycle tracks is concerned, in all major cities in India, without exception, we are not in a position to provide affordable housing, medical treatment at affordable cost and education to children at reasonable cost.

There is a serious issue of unemployment. Our cities are not in position to deal with the issues of sanitation and disposal of solid waste. Therefore, ultimately the States will have to take a policy decision on the question of providing a separate track for cycles. We must acknowledge that the concept of having cycle tracks is ideal. But we do not live in ideal world. The priorities can be decided only by the State Governments.

4. As far as footpaths/pavements are concerned, it is the obligation of the State/Municipal Authorities to have footpaths/pavements in reasonably good condition and unless the said facility is provided to pedestrians, it may amount to violation of their rights under Article 21 of the Constitution of India. The respective High Courts will have to deal with this issue.

5. Every State has a different situation. There are certain States which have hilly areas or difficult terrains. There are certain States which have large population of Scheduled Tribes. Therefore, the issues which are raised in this petition under Article 32 can be better addressed by the respective High Courts. By

granting liberty to the petitioner to approach different High Courts, we dispose of this petition.

6. We, however, state that some of the States have filed affidavits setting out the measures and steps which they have already taken. We direct the States to continue their initiatives.

7. With the above observations, the writ petition is disposed of.

8. Pending application(s), if any, shall stand disposed of.

.....J.
(ABHAY S.OKA)

.....J.
(UJJAL BHUYAN)

NEW DELHI;
FEBRUARY 10, 2025.

ITEM NO.41

COURT NO.4

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition (Civil) No.279/2022

DAVINDER SINGH NAGI

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

Date :10-02-2025 This petition was called on for
hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE UJJAL BHUYAN

For Petitioner(s) :Mr. Abhinav Mukerji, Sr. Adv.
Mr. Chaitanya Mahajan, Adv.
Ms. Padamja Sharma, Adv.
Mr. Devang Sharma, Adv.
Ms. Khushboo Hora, Adv.
Ms. Archita Nigam, Adv.
Mr. Gautam Das, AOR
Mr. Shivam Kumar, Adv.
Mr. R.k.padhi, Adv.
Mr. Tarun Kant Samantaray, Adv.
Mr. Abanikanta Sahu, Adv.

For Respondent(s) :Mr. Guntur Pramod Kumar, AOR
Ms. Prerna Singh, Adv.
Mr. Dhruv Yadav, Adv.

Mr. Abhimanyu Tewari, AOR
Mr. Eliza Bar, Adv.

Mr. Vinayak Sharma, Standing Counsel, Adv.
Mr. Ravinder Kumar Yadav, AOR

Ms. Shirin Khajuria, Sr. Adv.
Mr. Ankit Yadav, AOR
Ms. Swati Tiwari, Adv.
Ms. Shaoni Das, Adv.

Mr. Samar Vijay Singh, AOR
Mr. Keshav Mittal, Adv.
Ms. Sabarni Som, Adv.
Mr. Aman Dev Sharma, Adv.
Dr. Sukhdev Sharma, Adv.
Mr. Anurag Kulharia, Adv.
Mr. Saurabh Sachdeva, Adv.
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Mr. Sandeep Singh Dingra, Adv.
Mr. Akhileshwar Jha, Adv.
Ms. Charanjeet Sidhu, Adv.
Mr. Nishanth Patil, Adv.

Mr. Debanjan Mandal, Adv. (R-31)
Mr. Kunal Mimani, AOR
Mr. Abhinav Rana, Adv.

UPON hearing the counsel the Court made the following
O R D E R

The writ petition is disposed of in terms of the
signed order.

Pending application(s), if any, shall stand
disposed of.

(KAVITA PAHUJA)
ASTT. REGISTRAR-cum-PS

(AVGV RAMU)
COURT MASTER (NSH)

[Signed order is placed on the file]