

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

AD-HOC NO. WP-LD-VC-178 OF 2020

WRIT PETITION (ST.) NO. OF 2020

Pramod Pandey S/o. R.S.L. Pandey ... Petitioner

Versus

State of Maharashtra ... Respondent

Mr.A.M. Saraogi for the Petitioner.

Ms.P.H. Kantharia for the State.

**CORAM : S.J.KATHAWALLA, &
R.I. CHAGLA, JJ.**

DATE : 21ST JULY, 2020

(THROUGH VIDEO CONFERENCING)

P.C. :

1. By the above Writ Petition, the Petitioner seeks quashing/setting aside of the condition appearing in the Government Guidelines dated 30th May, 2020 stating that *“Any cast/crew members above the age of 65 years will not be allowed at the site.”*

2. The Petitioner is performing small roles in films and TV serials since the last 40 years. He has submitted that he does not have any other source of livelihood and is solely dependent on such jobs in the film studios. He has submitted that though he is physically fit, he is not allowed to go to the studios and participate in any shootings and he is thereby deprived of earning his livelihood. He has submitted that if the facts and figures are called for from the Respondents, it will be found that the

majority of the persons affected by the pandemic are below the age of 65 years. He has therefore, submitted that grave hardship and prejudice will be caused to him if he is prevented from participating in any of the activities during the shootings since he will not be able to survive with dignity and self respect.

2. The learned Advocate appearing for the State has informed the Court that the guidelines also provides that when possible, castings should be done remotely via Facetime, Zoom, Skype, etc. The learned Advocate for the State had to be reminded that the actors performing small roles are required to go to the studios and request for work to enable them to have their two meals, and no Producer/Director is going to shoot their role via Facetime, Zoom, Skype etc.

3. In view of the above, we direct the Respondents to interalia file its Affidavit explaining how a physically fit person who is 65 years or above is expected to live a dignified life if he is not allowed to go out and earn his livelihood. The Respondents shall in its Affidavit also set out the following :

(i) Whether any data/reports/statistics were taken into consideration before issuing the impugned Guidelines restraining any cast/crew members above the age of 65 years from attending the studios/shooting sites;

(ii) Whether a similar rule is made applicable to individuals who are 65 years and above and are travelling by trains/buses/aircrafts etc.;

(iii) Whether a similar rule is made applicable to the employers/staff who are currently attending shops//private offices;

(iv) Whether a similar rule is made applicable to the individuals (approximately 30) who are allowed to attend funerals or marriage reception/s etc.

3. Stand over to 24th July, 2020.

4. This order will be digitally signed by the Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

(R.I. CHAGLA, J.)

(S.J.KATHAWALLA, J.)