

Bombay HC wants NGO's help on issue of stray dogs

Seeks a mechanism for neutering, feeding, grooming and vaccination of these animals due to their high population, also wants protection of rights of feeders

THE Bombay High Court on Monday said a mechanism needs to be evolved for neutering, feeding, grooming and vaccination of stray dogs in view of their high population on streets and sought the assistance of an NGO in the matter. A division bench of Justices Gautam Patel and S G Dige said the court would like to rope in The Welfare of Stray Dogs (WSD) NGO, which has been working towards the welfare of stray dogs for several decades.

The petition

The court was hearing a petition filed by six residents of a residential complex at Seawoods in Navi Mumbai, seeking direction to the Navi Mumbai Municipal Corporation to identify and demarcate feeding stations in public places for stray dogs.

The residents had also challenged fines imposed on them by their housing society for feeding stray dogs.

The petitioners and the Seawoods Estates Limited (SEL), which manages the residential complex, have been at



The court was hearing a petition filed by six residents of a complex seeking that the NMMC be directed to identify feeding stations in public places for stray canines. FILE PIC/PRADEEP DHIVAR

loggerheads over the issue.

The high court had in December 2021 appointed a lawyer to mediate on the issue. The court on Monday said some process needs to be found to address the issue.

"When we have a high population of stray dogs, a mechanism has to be evolved for their neutering, collaring, vaccination and grooming. We have to seek the assistance of such groups that have been working towards the welfare of such dogs," Justice Patel said.

The high court said some process needs to be found to address the issue, noting the petition raises a wider question about the care, upkeep and control of stray dogs as also the protection of the rights of citizens.

"It would help us if some organisation having expertise in such matters assists us. The Welfare of Stray Dogs is one such organisation. We direct for the WSD to be impleaded as respondent in the present petition," the court said, posting the matter for further hearing on March 2. The court also rapped the Seawoods Estates Limited for not permitting domestic help, drivers and other service providers to the homes of the petitioners.

HC raps complex

"The earlier bench of the high court had in its December 2021 order directed SEL to not take any coercive action against the petitioners. So now you (SEL) reduce their lives to such utter misery by not allowing basic service providers to their homes? How can you prevent people from going?" Justice Patel said.

The court directed the petitioners to file an application raising these grievances. **Agencies**



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HC seeks NGO's expertise in regulation of strays in Navi Mum soc

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Mumbai: Bombay high court on Monday added the Non Governmental Organisation (NGO, Welfare of Stray Dogs (WSD), as a party to a petition, to assist and lend its expertise in handling technical and legal aspects related to stray dogs in and around Seawoods Estate, and to help evolve a mechanism on their care, given the rise in their numbers.

The HC roped in WSD in a petition filed last year by few residents against management of an upscale residential complex in Navi Mumbai



A petition was filed against management of the soc over feeding of stray dogs

-Seawood Estate Limited (SEL)-over feeding of stray dogs in the society premises.

The residents, including senior citizens, who feed strays, in their petition sought or-

ders to the Navi Mumbai Municipal corporation (NNMC) and CIDCO "to identify and confirm seven feeding stations" within the Seawoods Estates, and a "proactive approach" from the State towards implementation of animal protection laws.

The HC bench of Justices Gautam Patel and SG Diga said WSD has been working for decades in the field, it has worked on neutering, vaccinating, feeding of stray dogs and coordinates with local civic bodies in its work. Observing, "it is a matter of social concern," the HC also that senior counsel Zal Andhyaruj-

na and Shiraz Rustomjee may be requested to appear for WSD in the matter. In December 2021 the HC had restrained the housing society from taking any coercive steps against the petitioners over non-payment of fines. The HC at the time had also appointed advocate Nausher Kohli as an amicus (an impartial adviser to the court) to help argue the law and policy.

On Monday, lawyer for the petitioners, Siddh Vidya said some of them are senior citizens, and the society had issued notice to prevent them from having "domestic help, dog walkers, car washers."

last August. She said a notice was sent to two residents over unpaid dues in which it warned them of restrictions as mentioned in a 'resident's handbook'.

The HC asked the society lawyer Aditya Pratap, "by what law can you stop such services." Pratap said the society has not cut their water or power supply. He also said the notice was not sent through him and he was not given a copy Justice Patel said. "When court says 'no coercive action' it means no coercive action."

Justice Patel after reading the notice, orally said to the

society lawyer. "The Society is acting as if the resident's handbook is the Constitution of India. We will rubbish your handbook so fast, it is not funny."

Expressing its disapproval over six points in the handbook including denial of use of SEL's common facility, denial of renewal of passes for maids, drivers, maintenance staff or for major maintenance of flat, denial of plumber, electrician, carpenter or mason, the HC asked Vidya a one page affidavit of the residents grievance within a week and gave time to Pratap to reply thereafter.