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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 8548/2017 & C.M.No.985/2024

COURT ON ITS OWN MOTION

..... Petitioner

Through:

versus

UNION OF INDIA AND ORS

..... Respondents

Through: Mr.Ashok Agarwal, Amicus Curiae with Mr.Kumar Utkarsh and Mr.Manoj Kumar, Advocates. Mr.Kirtiman Singh, CGSC with Mr.Waize Ali Noor, Ms.Shreya V.Mehra and Ms.Vidhi Jain, Advocates for UOI. Mr.Santosh Kumar Tripathi, standing counsel for GNCTD with Mr.Arun Panwar, Mr.Pradyumn Rao, Mr.Utkarsh Singh, Mr.Kartik Sharma, Ms.Prashansa Sharma, Mr.Risabh Srivastava and Ms.Nikita Vir, Advocates. Mr.Satyakam, ASC with Mr.Pradyut Kashyap, Advocate for GNCTD with Dr.S.B.Deepak, Secretary, Deptt. of Health of Family Welfare. Mr.Ravinder Agarwal with Mr.Lekh Raj Singh, Advocates for UPSC. Ms.Avnish Ahlawat, standing counsel with Mrs.Tania Ahlawat, Mr.Nitesh Kumar Singh, Ms.Laavanya Kaushik, Ms.Aliza Alam and Mr.Mohnish Sehrawat, Advocates for R-6 & 8.. Mr.Ajjay Aroraa, standing counsel for MCD (Through VC).



CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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05.02.2024

1. Mr.Santosh Kumar Tripathi, learned standing counsel for GNCTD has handed over a status report on behalf of the Health Minister, GNCTD. Along with the status report, the Health Minister, GNCTD has given his suggestions to improve the health infrastructure of Delhi. The said status report along with the annexures is taken on record.
2. In pursuance to the last order, the Health Secretary, GNCTD is personally present in Court. This Court has interacted with the Health Secretary, GNCTD. He states that he would give his suggestions on or before 09th February, 2024 to the learned Court Masters.
3. After hearing the parties, this Court is of the view that a Committee of Experts needs to be constituted to suggest ways and means to improve the health infrastructure in Delhi hospitals. However, a detailed order shall be passed after suggestions have been received from the Health Secretary, GNCTD.
4. The personal presence of Health Secretary, GNCTD is dispensed with till further orders. He is directed to join the proceedings by way of online audio-video link on the next date of hearing.
5. List on 12th February, 2024 at 2.30 P.M.

ACTING CHIEF JUSTICE

MANMEET PRITAM SINGH ARORA, J

FEBRUARY 5, 2024/KA



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 8548/2017

COURT ON ITS OWN MOTION

Through:

versus

UNION OF INDIA AND ORS

..... Respondents

Through: Mr.Kirtiman Singh,CGSC with
Mr.Waize Ali Noor, Ms.Shreya
V.Mehra, Ms.Vidhi Jain and
Mr.Varun Rajawat, Advocates for
UOI.
Mr.Satyakam, ASC for GNCTD with
Mr.Pradyut Kashyap, Advocate.
Mr.Ajjay Aroraa with Mr.Kapil
Dutta, Advocates for MCD.
Mr.Ashok Agarwal with Mr.Kumar
Utkarsh and Mr.Manoj Kumar,
Advocates for Amicus
Curiae/applicant.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **08.01.2024**

C.M.No.985/2024

1. Present application has been filed by the learned Amicus Curiae for bringing on record an incident dated 4th January, 2024 reported in Times of India, Hindustan Times and Indian Express and to further direct the respondents to investigate into the matter and submit a report before this Court.



2. Learned Amicus Curiae states that a shocking incident took place between late evening of 2nd January, 2024 and early morning of 3rd January, 2024 wherein a man who jumped out of a moving PCR Van died after denial of treatment by four Government Hospitals in Delhi. The incident is reported by the aforesaid newspapers on 4th January, 2024.

3. Learned Amicus Curiae states that at first Jag Pravesh Chandra (JPC) Hospital simply referred the injured patient to Guru Teg Bahadur (GTB) Hospital. However, GTB Hospital did not admit the injured patient on the ground of non-availability of CT Scan. Thereafter, Lok Nayak Hospital (LNJP) did not admit the injured patient on the ground that it had no ICU/Ventilator bed available. Dr.Ram Manohar Lohia (RML) Hospital refused to admit the patient without any justification. In the end, when injured patient was again brought to JPC Hospital, he was declared dead at 5:45 AM on 3rd January, 2024.

4. Issue notice. Mr.Kirtiman Singh CGSC accepts notice on behalf of UOI, Mr.Satyakam, ASC accepts notice on behalf of GNCTD and Mr.Ajjay Aroraa, Advocate accepts notice on behalf of MCD.

5. This Court vide order dated 13th December, 2023 has already directed the GNCTD to file a status report as to how it plans to ensure that the medical infrastructure keeps pace with the city's population. GNCTD is also directed to mention in its status report as to what amount it has been spending on the Government hospitals in particular and on augmenting the health sector in general in the last seven years as this Court would like to be satisfied that the percentage of spending of the budget on the hospitals has gone up over the years. GNCTD shall also explore the feasibility of setting up of a Centre Portal in coordination with the UOI hospitals in Delhi, which



would indicate on a real time basis the number and nature of beds available in all the hospitals in Delhi.

6. Let the status report be filed at least two days prior to the next date of hearing.

7. List on the date already fixed.

ACTING CHIEF JUSTICE

MANMEET PRITAM SINGH ARORA, J

JANUARY 8, 2024

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