

Court No. - 7

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 574 of 2020

Petitioner :- In-Re Inhuman Condition At Quarantine Centres And For Providing Better Treatment To Corona Positive

Respondent :- State of U.P.

Counsel for Petitioner :- Gaurav Kumar Gaur, Abhinav Gaur, Aditya Singh Parihar, Amitanshu Gour, Arvind Kumar Goswami, Bhagwan Dutt Pandey, Ishir Sripat, Jamil Ahamad Azmi, Jitendra Kumar, Katyayini, Pradeep Kumar Srinette, R.K. Shahi, Rahul Sahai, Rajeev Kumar Singh, Rishu Mishra, S.P.S. Chauhan, Sarveshwari Prasad, Satyaveer Singh, Shailendra Garg, Siddharth Shukla, Sunita Sharma, Suo Moto, Sushil Kumar Mishra, Swetashwa Agarwal, Uttar Kumar Goswami, Vibhu Rai

Counsel for Respondent :- C.S.C., Arun Kumar, Ashish Mishra, Dhiraj Singh, Hari Nath Tripathi, Purnendu Kumar Singh, Satyavrat Sahai, Sunil Dutt Kautilya, Suresh Chandra Dwivedi, Tahir Husain, Vishakha Pande

Hon'ble Siddhartha Varma, J.

Hon'ble Ajit Kumar, J.

Heard Sri Abhishek Sharma, learned Advocate, on behalf of Sri S.V. Raju, learned Additional Solicitor General of India representing the State of U.P., Sri S.P. Singh learned Additional Solicitor General of India assisted by Sri Purnendu Kumar, Advocate, Sri Siddharth Nandan, Sri Skand Bajpai, Sri Rajat Aren and Sri Vipul Shukla, through Video Conferencing.

A report has been submitted by the Committee which was required to enquire into the treatment of Late Justice V.K. Srivastava. Since an adjournment has been asked for on behalf of the State Government, no further order is being passed. The report may be kept on record and will be looked into on the next date.

The report with regard to the enhancement of medical facilities in the hospital of districts, namely, Bahraich, Shravasti, Bijnor, Barabanki and Jaunpur has also been filed. It may be kept on record. We have perused the report and do appreciate that some

work has been done with regard to the improvement of medical infrastructure and hope that similar efforts will be made in respect of other districts as well. By the next date, the State Government may further give a report with regard to the improvement of medical infrastructures in five more districts, namely, Bhadohi, Ghazipur, Ballia, Deoria and Shamli.

We also find that satisfactory work has been done for the capping of fee for diagnostics. In respect of RT-PCR tests the fee ranges between Rs. 500/- and 900/-. For Antigen tests the fee has been fixed for Rs. 200/-. For True Nat private testing has been fixed for Rs. 1200/-. The C.T. Scan as per various slices has been fixed in the following manner:-

I. Rs. 2000/- upto 16 slices;

II. Rs. 2250/- for 16 to 64 slices; and

III. Rs. 2500/- for more than 64 slices.

The Writ Petition No. 10410 of 2021 filed on behalf of Hari Prasad Gupta could not be taken up as the State has asked for an adjournment. The State may on the next date file a reply to the writ petition.

The Intervention Application No. 136 of 2021 is also kept on record. The State may look into the application and submit a reply.

The Intervention Application No. 135 of 2021 filed by Sri Siddharth Nandan may also be looked into by the State and be replied to on the next date.

With regard to the Intervention Application filed by Sri Skand Bajpai, Advocate, it may be stated that in paragraph no. 6 of the affidavit filed by the State on 11.5.2021 a stand had been taken

by the State that it would adopt the guidelines of the Central Government with regard to vaccination of physically challenged persons. By the next date the Central Government may come up with a stand with regard to vaccination to physically challenged who find it difficult to approach the vaccination centers.

A letter petition has been filed by Sri Rajat Aren. It may be kept on record and may be treated as Public Interest Litigation(PIL) and also be given a regular number. The State Government may take instructions in the matter.

The intervention application by Sri Vipul Shukla be kept on record. The State Government may look into the averments made therein and may come up with its reply by the next date.

The Impleadment Application No.143 of 2021 is allowed. The applicant may contest the matter on the next date.

With regard to the Intervention Application Nos.131 of 2021 and 132 of 2021, the applicant is directed to send a copy of the application to the State and the State may take instructions by the next date.

List this Public Interest Litigation in the week commencing 07th of June, 2021.

Order Date :- 27.5.2021

PK

(Ajit Kumar,J.) (Siddhartha Varma,J.)