

(2017) 01 JH CK 0138
In the Jharkhand High Court
Case No : 360 of 2017

Amit Sharma & Anrs.

APPELLANT

Vs

The State of Jharkhand & Ors.

RESPONDENT

Date of Decision : 23-01-2017

Acts Referred:

Citation : (2017) 01 JH CK 0138

Hon'ble Judges : Ananda Sen

Bench : SINGLE BENCH

Advocate : A.K.Kashyap, Hemant Shikarwar

Judgement

1. This Court received a petition from the Advocates' Association, Jharkhand High Court regarding negligence on the part of the police administration and the medical authorities, due to which a young lawyer namely, Dharmender Kumar has lost his life on 21.01.2017 in a road accident at National Highway, Hazaribagh. It is alleged therein that despite the accident Dharmender Kumar was not administered proper treatment within time due to which he died and the same has once again exposed the sorry state of affairs with no empathy from either the police personnel or the medical fraternity in dealing with accident cases. It is also alleged that there was no ambulance on the National Highway within that area for more than an hour. Even the police personnel of Charhi Police Station, who reached there, refused to help saying that this area does not come within their territorial jurisdiction. Thereafter, two persons rushed the injured to the nearby hospital by an autorikshaw. It is also alleged that

even in the hospital, the hospital authorities did not take any steps to save the life of the patient or to shift him to Sadar Hospital, Hazaribagh. Thereafter, he was again shifted to Sadar Hospital by an autorikshaw by those two persons. No ambulance was provided by the hospital. Several other allegations have also been made against the Police authorities and hospital authorities.

2. Considering it a very serious matter, we direct the Registry to register this petition as Public Interest Litigation. Let notice be issued to the following, who are hereby made respondents in this Public Interest Litigation:-

1. The State of Jharkhand through the Chief Secretary, Jharkhand
2. The Principal Secretary, Department of Health, Medical Education & Family Welfare, State of Jharkhand, Ranchi
3. The Director General of Police, Jharkhand.
4. National Highway Authorities.
3. This Court further directs the Principal District & Sessions Judge, Hazaribagh to inquire into the matter and submit his report within 48 hours.
4. This Court further directs the Chief Secretary, Jharkhand to immediately intimate all the concerned officers to cooperate in the inquiry.
5. All the respondents are directed to file their counter affidavit on or before 27th January, 2017.
6. Let a free copy of the order alongwith a copy of this petition be handed over to the learned Advocate General, who is present in the Court, for communicating the same to the Chief Secretary. A copy of the same be also handed over to learned lawyer for National Highway Authorities and a copy of the same be communicated to the Principal District & Sessions Judge, Hazaribagh by FAX, in course of the day for the needful.
7. Let this Public Interest Litigation be listed on 27.01.2017 (Friday).