

(2020) 06 DEL CK 0019

In the Delhi High Court

Case No : Civil Writ Petition No. 3352 Of 2020

Kushagra Kumar

APPELLANT

Vs

Union Of India And Ors

RESPONDENT

Date of Decision : 04-06-2020

Acts Referred:

Citation : (2020) 06 DEL CK 0019

Hon'ble Judges : Dhirubhai Naranbhai Patel, CJ;Prateek Jalan, J

Bench : Division Bench

Advocate : Harshvir Pratap Sharma, Damini Garg, Kushagra Kumar, Anil Soni, Ripu Daman Bhardwaj, Sanjoy Ghosh, Urvi Mohan

Final Decision : Disposed Of

Judgement

D. N. Patel, CJ

Proceedings of the matter have been conducted through video conferencing.

CM APPL.11816/2020 (exemption)

Allowed, subject to just exceptions.

W.P.(C) 3352/2020

1. We have heard the petitioner in person, counsel for the petitioner as well as counsel for the respondents.

2. The main grievance ventilated by this petitioner is regarding the entry of non-Delhiites (particularly persons resident in other parts of the National Capital Region) into Delhi for the purpose of medical requirement/treatment.

3. Learned counsel appearing for respondent No.2 submitted that without carrying out due and proper research work, this so-called public interest litigation has been preferred. It is vehemently submitted by the learned counsel for respondent No.2 that this is a publicity interest litigation.

4. Learned counsel for respondent No.2 further submits that they are allowing everyone who are in need of medical services through Government, private or Government aided hospitals/clinics in Delhi irrespective of the status as to whether the person is a Delhiite or non-Delhiite. The only requirement for entering Delhi is to furnish e-pass issued by the concerned Nodal Officers/District Magistrates, which is easily available on providing the requisite details pertaining to medical exigencies. It is also submitted by the learned counsel for respondent No.2 that in pursuance of the Central Government declaration, popularly known as Unlock-1, consequential order has also been issued by the Government of NCT of Delhi and as per para 6(ii) of the said consequential order dated 1st June, 2020, e-pass are being given to those who are in search of medical facility available within Delhi irrespective of the fact that the person who comes to Delhi is a non-Delhiite. Moreover, the District Magistrates of Noida and Gurugram are issuing passes to their residents to enter Delhi for medical treatment. Thus, the grievances of the petitioner are factually incorrect.

5. In view of the above submissions, the grievances of the petitioner ventilated in the writ petition about the entry of the persons who are not ordinarily residing at Delhi but want to enter into Delhi for medical treatment/requirement, is already addressed by the respondent No.2, that too in black and white through a consequential order - Unlock-1 dated 01.06.2020.

6. We appreciate the stand taken by the respondent No.2 that the aforesaid circular dated 01.06.2020 issued by Government of NCT of Delhi, if not uploaded so far, will be uploaded on a Government website as early as possible so that public at large can take benefit of the mechanism of e-pass to enter Delhi for getting medical treatment. We also direct the respondent No.2 to highlight the same on their website by keeping it blinking in red or in any other colour.

7. With these observations, this writ petition is disposed of.