

(2022) 04 UK CK 0003

In the Uttarakhand High Court

Case No : Writ Petition (PIL) No. 58 Of 2020

Sachindanand Dabral

APPELLANT

Vs

Union Of India And Others

RESPONDENT

Date of Decision : 01-04-2022

Acts Referred:

Citation : (2022) 04 UK CK 0003

Hon'ble Judges : S.K. Mishra, J; R.C. Khulbe, J

Bench : Division Bench

Advocate : Shiv Bhatt, V.K. Kapruwan, C.S. Rawat, Anil Kumar Bisht, Shobhit Saharia

Final Decision : Disposed Of

Judgement

S.K. Mishra, J

1. In this Writ Petition (PIL), the petitioner has prayed for the following reliefs :-

i) issue a writ in the nature of mandamus or any other appropriate writ / order directing the Respondents to take necessary and permanent measures for Daily wages labours i.e. not only at this pandemic of Corona Virus/COVID 19 but also for the future so as to made them strong and self dependant as well as to enrol them for social welfare schemes like ESI Facility, grant of minimum wages and the schemes applicable to them from the schemes mentioned in Annexure-!; and/or

ii) issue a writ in the nature of mandamus or any other appropriate writ / order directing the respondents to supply the food or money through Jan Dhan accounts and/or door to door through Sub-Divisional Magistrates of area concerned and the said SDM be directed to distribute the relief materials through beat constable and/or Tehsildar/Gram Panchayat/Kshetriya Parchayat of concerned police station/village with accountability and record as per the provisions of The National Food Security Act, 2013 and The Disaster Management Act, 2005; and

iii) issue a writ in the nature of mandamus or any other appropriate writ / order directing the respondents to strictly comply the notifications issued by the Respondent No.2 to prevent coming of large number of people without thermal screening and health assessment at the borders of Uttarakhand during lockdown period.

iv) issue a writ in the nature of mandamus or any other appropriate writ / order directing the respondents to provide proper medical facilities, hygienic environment through out all the Hospitals of the state particularly in all of the quarantine centres, health assessment of home quarantine, relief camps established at the village and district levels, so that people will get cured as early as possible

v) issue a writ in the nature of mandamus or any other appropriate writ / order directing the respondents that the betterment 130 Crore Indians and the said distribution be subject to verification by any CAG or other independent agency after the complete removal of the pandemic of Corona Virus/COVID 19, as per the provisions of The National Food Security Act, 2013 and The Disaster Management Act, 2005.

vi) may pass such further order/orders/directions as this Hon'ble Court may deem fit and proper.

2. It is apparent from the record that this PIL has been filed to contain the spread of COVID-19 pandemic in the first wave itself. The prayers made therein relates to the first wave of the COVID-19 pandemic. In the meantime, the second and third waves of the COVID-19 pandemic have come and gone. In fact, by order dated 28.03.2022, the State of Uttarakhand has already declared that the Malls, Multiplexes and Cinema Halls in the State shall open with full capacity.

3. In that view of the matter, none of the prayers made in this Writ Petition (PIL) require to be attended at present. However, we are of the view that if the petitioner has any further grievances in case, god forbid, the fourth wave of COVID-19 pandemic hits the State of Uttarakhand, the petitioner shall be at liberty to file appropriate Writ Petition.

4. With the aforesaid observations, this Writ Petition (PIL) is disposed of.

5. In sequel thereto, all pending applications also stand disposed of.

6. Urgent certified copy of this judgment be granted to the learned counsel for the parties, on proper application.