

(2004) 11 AHC CK 0022

In the Allahabad High Court

Case No : Civil Miscellaneous Writ Petition No. 32844 of 1997

Satish Chaturvedi

APPELLANT

Vs

State of U.P. and Others

RESPONDENT

Date of Decision : 01-11-2004

Acts Referred:

Citation : (2004) 11 AHC CK 0022

Hon'ble Judges : M. Katju, Acting C.J.;Sunil Ambwani, J

Bench : Division Bench

Advocate : M.K. Gupta and Rakesh Pandey, for the Appellant; Sudhir Agrawal, S.S. Rathore, Kapil Rathore, S.D. Kautilya, U.N. Sharma and Gaurav Kakkar, C.S. Singh, S.C. and M.B. Saxena, Amicus Curiae, for the Respondent

Judgement

M. Katju, A.C.J. and Sunil Ambwani, J.—List peremptorily before us on 8.11.2004, or which date, the Principal Secretary, Medical & Health, UP, as Well as the Principal Secretary, Finance, UP will be personally present in Court, The learned Standing Counsel will forthwith convey a copy of order dated 31.8.2004 passed in this writ petition as well as all the affidavits and other documents filed in this case to the aforesaid authorities. The said authorities are directed to peruse the same and comply with our order dated 31.8.2004. We may reiterate, that by that order we had directed that Swaroop Rani Nehru Hospital, Allahabad should be made a model and one of the best Hospitals in Uttar Pradesh since the Hon"ble Judges of the Allahabad High Court and other dignitaries, who have medical problems, may get modern health facilities. Presently we are informed that the Swaroop Rani Medical Hospital Allahabad, which is the Hospital of Moti Lal Nehru Medical College does not even have a Cat Scan Machine, Ultra Sound Machine, Blood Bank, etc., which are now very elementary facilities available in almost every rmodern Hospital. It does not have a proper generator, because of which the hospital is often without electricity, even when the operations are being performed. It also lacks incinerators, proper sanitation arrangement and other facilities.

2. In pursuance to our order date 31.8.2004, Dr. Mamta Singh, Principal, Motila Nehru Medical College, Allahabad had requested all the Heads of the Department of M.L.N. Medical College and S.R.N. Hospital, Allahabad, to supply requirements of the equipment and facilities in their departments. She has stated in her affidavit that the condition of M.L.N. Medical College, and its associated Hospitals is deteriorating day by day due to paucity of funds. She has pointed out in para-7 of her affidavit that the M.L.N Medical College and its associated Hospitals do not even have basic amenities with regard to sanitation disposal of bio-medical waste electric supply, security, water supply, central laundry system central autoclaving and sterilization unit, maintenance of electrical equipments, plumbing, medical equipments. furniture. vehicles/ambulances, telecommunication, utilisation of user charges, staff and repair of internal road. She has also pointed out the problems of encroachment and removal of all such persons, who are not employees of the Medical College and Hospital from inside their premises. She has pressed for an immediate need of a Power Sub Station for the M.L.N. Medical College Allahabad and its associated Hospitals, and has annexed documents supporting the demands made to the State Government and the concerned authorities for these requirements In our opinion, these demands are justified and must, be provided forthwith.

3. We are informed that the Nagar Nigam, Allahabad has made a garbage dump inside the Hospital near the post mortem operation theatre. This is most objectionable and in fact it will make even the healthy people who visit the hospital sick. The Nagar Nigam is directed to lift the garbage from the Hospital campus on every alternate day to ensure that the garbage is not collected there, Sri S.D. Kautilya, learned Counsel for the Nagar Nigam is present before and this order is being passed in his presence.

4. We are informed that M.D. (eye) Hospital, Allahabad and S.N. Children's Hospital are associate hospitals of the Moti Lal Nehru College, Allahabad. The order passed by us today will also apply to these Hospitals.

5. Let a copy of this order be given to learned standing counsel and Sri S.D. Kautilya today free of charges. The Registrar General of the Court and learned standing counsel as well as the petitioner will also convey a copy of the order to Chief Secretary, U.P. No further delay in compliance with our order dated 31.8.2004 today's order will be tolerated. Sri M.K. Gupta and Sri S.S. Rathore are directed to inform learned counsel for U.P. Power Corporation Limited about this order in writing today.

6. We also appoint Sri M B. Saxena, learned Advocate as amicus curiae in this case. He is requested to assist the Court and to inform us about the conditions of the aforesaid Hospitals and to give his suggestions for their improvement.