
(2022) 03 UK CK 0057

In the Uttarakhand High Court

Case No : Writ Petition (PIL) No. 20 Of 2022

Satyaveer Singh Chauhan

APPELLANT

Vs

State Of Uttarakhand And Others

RESPONDENT

Date of Decision : 09-03-2022

Acts Referred:

Citation : (2022) 03 UK CK 0057

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

Bench : Division Bench

Advocate : Abhijay Negi, S.S. Chauhan, Sanjay Bhatt, Shrey Pathak

Final Decision : Disposed Of

Judgement

S.K. Mishra, J

1. The prayer of the petitioner is to issue a writ of mandamus directing the State Government (respondent No. 1) to ensure and to take steps to provide affordable specialized medical treatment in government hospitals through available government schemes to all segments of society in need of the same.

2. The grievance of the petitioner in the PIL is that Pt. Deendayal Upadhyaya Government Coronation Hospital had the facilities of giving free of cost treatment to cardiac patients, who used to visit the hospital and were having the cards of cashless schemes, such as Pradhan Mantri Jan Arogya Yojna and Atal Ayushman Yojna, and the State of Uttarakhand has leased out it in favour of Fortis Hospital. The Fortis Hospital was running and was providing free medical services and treatments to all sections of society, who used to approach it and who were suffering from cardiac problem, and were having the aforesaid cards, and the cost was being defrayed by the State of Uttarakhand. However, the contract between the State of Uttarakhand and the Fortis Hospital came to its logical conclusion on 07.03.2022.

3. The grievance of the petitioner was that there was no order for providing

medical services to eligible cardiac patients free-of-cost, and that is why people were running from pillar to post against approaching private hospitals.

4. On 07.03.2022, we directed the learned Deputy Advocate General for the State of Uttarakhand to take instructions in the matter, and apprise the Court if at all there is disruption in the specialized medical services for heart / cardiac patients in Pt. Deendayal Upadhyaya Government Coronation Hospital. In response to the same, Mr. S.S. Chauhan, the learned Deputy Advocate General for the State of Uttarakhand, on instructions, submits that there are six other government as well as non-government hospitals at Dehradun providing specialized medical services for heart / cardiac patients. In the meantime also, they have already selected respondent No. 3-Meditrina Hospital to take care of cardiac treatments and medical services at Pt. Deendayal Upadhyaya Government Coronation Hospital, but because of certain complaints against respondent No. 3-Meditrina Hospital, they had sought clarification from Haryana and Jharkhand, which they have already received and they have not raised any objection against respondent No. 3-Meditrina Hospital and given it a clean chit, but because of the Model Code of Conduct imposed by the Chief Election Commissioner, the work order could not be passed. It is submitted by the learned Deputy Advocate General for the State of Uttarakhand that the work order would be passed immediately after the lifting of the Model Code of Conduct. It is further submitted by the learned Deputy Advocate General that in the meantime, the cardiac patients who were visiting Pt. Deendayal Upadhyaya Government Coronation Hospital, were being provided the medical facilities. Therefore, in substance, there is no disruption in service.

5. We hope and trust that the State of Uttarakhand shall take appropriate steps to provide free-of-cost medical facilities to all the patients needing treatments at this juncture, and who were having the cards of cashless medical treatment schemes mentioned above.

6. With the above observation, the writ petition is disposed of.

7. No order as to costs.

8. In sequel thereto, pending application, if any, also stands disposed of.

9. Urgent copy of the order be issued to the parties as per rules.