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IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of Decision: 05th August, 2021

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W.P.(C) 7840/2021

RAHUL MOHOD

..... Petitioner

Through Petitioner in person

versus

STATE (GOVT NCT OF DELHI) AND ORS

..... Respondents

Through: Mr. Satyakam, Additional Standing
Counsel for GNCTD R-1&2

Ms. Tajinder Viridi, Standing Counsel for
EDMC/R-3

Ms. Richa Dhawan, Standing Counsel for
SDMC/R-4

Mr. Akhil Mittal for North MCD/R-5

Mr. Anil Grover, Standing Counsel for NDMC
along with Ms. Noopur Singhal and Ms. Mishal
Vij, Advocates for NDMC

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MS. JUSTICE JYOTI SINGH

JUDGMENT

D.N. PATEL, CHIEF JUSTICE(ORAL)

Proceedings have been conducted through video conferencing.

**CM APPL. 24387/2021 (Exemption) & 24388/2021 (Permission to file
lengthy synopsis & list of dates of events and lengthy prayer)**

Allowed, subject to all just exceptions.

Applications are disposed of.

W.P.(C) 7840/2021

1. Present Public Interest Litigation has been preferred seeking the following reliefs:-

“a). Issue a writ of mandamus or any other appropriate writ/directions/order(s)/guidelines to the Respondents No. 1 and 2 to immediate arrangement / supply of complete dose of life saving "Canine DHPPi Vaccine (Distemper Combined 9-in 1)" against deadly "Canine Distemper & Parvo Virus" (like Corona-virus for street dogs/cats/pets/lions/leopards) along with all supportive medicines to cure distemper disease during treatment and post distemper, in all Veterinary Hospitals /dispensaries of GNCTD (in their respective jurisdiction) to save the life of street dogs/ pet dogs cats/animals/etc;

*i). direct the Respondents No. 1 and 2 to appoint permanent Vet Expert Team/Committee to ensure/ monitoring/supervising for regular supply of complete dose and ensure good quality of life saving **"Canine DHPPi Vaccine (Distemper Combined 9-in 1)"** against deadly **"Canine Distemper & Parvo Virus"**, in all Veterinary Hospitals/Dispensaries of GNCTD (in respective jurisdiction); disclosing on affidavit before this Hon'ble Court within time frame;*

*ii). direction to respondent no. 1 and 2 to provide the treatment, at separate place with the display board exclusively for victim dogs/cat suffering from **"Canine Distemper/Parvo Virus"** or other incurable disease, in all animals hospitals/dispensaries to stop transmission of virus through air-bones in other healthy animals/ dogs/ cats;*

*iii). direction to respondent no. 1 and 2 timely and mandatory and continuous training programme for government vets and para-vets to deal with the contiguous **"Canine Distemper and Parvo Virus"** and other incurable disease;*

iv). direction to R 1 to R6 to make mechanism or initiate campaign for adoption/sterilization of more & more street

dogs and provide the various benefits such as relaxation in property tax, bus-fare, reward award etc to people, like EDMC's initiative for tree adoption;

(b). Issue a writ of mandamus or any other appropriate writ/directions/order(s)/guidelines to Respondent(s) No. 1 and 2 for up-gradation/ modernization of all Animal Hospitals/dispensaries of GNCTD to provide at least minimum standard care facilities such as X-Ray, RT-PCR test, ultra-sound, various of Blood Test / path labs, urine test to trace roundworm, hookworm, tapeworm, whipworm, surgery for glaucoma, oxygen, ventilators, in-house patient facilities, operation theater, ICU system for street/domestic animal (patient) suffering from dangerous "Distemper" and "Parvo Virus" and other contagious disease, disclosing on affidavit to this Hon'ble Court within time frame;

*c). Issue a writ of mandamus or any other appropriate writ/directions/order(s)/guidelines to Respondents No. 1 and 2 to arrange adequate **"Animal Care Ambulances 24X7 with Helpline Number"** (along with CCTV camera) and **"Trained Bike Para-Vet"** under the supervision/direction of Vet Expert, to provide free medical assistance and vaccination (rabies, distemper, parvo, deworming medicine, fever, Tick fever etc.) on the spot to street animals, in all respective zones/district of GNCTD, like announcement/ initiative taken by R-1 to appoint "5000 Health Assistant" to fight with covid-19, disclosing on affidavit to this Hon'ble Court within time frame;*

*(i) direction to R-1 to R-6 to display the numbers of **"Animal Care Ambulances 24X7 and "Trained Bike Para-Vet's"** at the all public places, offices, transport/public vehicle, hospitals, railway stations/trains/metro with immediate effect;*

ii). direction to respondents no. 1 and 2 to develop the mechanism for registration of all trained & qualified private-para-vet with (.i.e. R1 & R2) and direction to maintain the computerize data / record of each visit for treatment of street animals/pet animals with the details of patient (animals), treatment, vaccination etc, further

supply the authorized medical prescription to owner of animals or care-taker;

iii). direction to respondents no. 1 and 2 to maintain the computerize data / record of each veterinary hospitals with respect to all patient/street animals/ pet animals/birds with their disease/ vaccination at the time visiting to all veterinary hospitals;

iv). direction to filled up the 8 vacant post of vet in the veterinary hospitals as disclosed under reply of RTI dated 21.08.2019;

*d). Issue a writ of mandamus or any other appropriate writ/directions/order(s)/guidelines to Respondent(s) No. 1, 2, 3, 4, 5 & 6 to submit the draft/place/mechanism immediately, for free "**Eco Friendly Electronic Crematoriums/CNG Crematoriums**" (with installation of CCTVs Cameras in premises) for dignified disposal of street animals and issuance of "**Deaths Certificates or Pet/Animal Disposal Certificate**" to their owners or care-taker in all respective zones/district of NCT of Delhi along-with maintaining all records of each cremation and their owner or care-taker's ID proof etc., before this Hon'ble Court within time frame;*

*e). Issue a writ of mandamus or any other appropriate writ/directions/order(s)/guidelines to Respondents No. 1 to 6, to Constitute a "**Street Animals Health & Welfare Coordination Committee**" to submit "**Animals Health Care Mechanism/Draft**" before this Hon'ble Court within time framed;*

f). direction to R1 to R6, to create a mechanism to complaint against the discrepancies/negligence or wrong treatment in any veterinary hospitals or at any sterilization center under ABC (Animal Birth Control) programme, whereby people may approach authorities in case of need wrong treatment;

*g). direction to respondent no. 1 to 6, to introduce/include/initiate "**Animal Welfare & Protection**" as a subject/Chapter in school syllabus like "Happiness Class" or "Entrepreneurship Mindset*

Curriculum (EMC)" to develop, love, compassion humanity among school children;

(h). directions R-1, to create "Animal Welfare Fund", through a portal/website with online records of all donors, wherein any volunteer or people or corporate institution may donate funds for the "welfare of animals" to provide effective assistance to the street animals/captive animals;

i). Issue a writ of mandamus or any other appropriate writ/directions/order(s)/guidelines to Respondents No. 1 to 6 to maintain the "data/record" on the website or portal with respect to unnatural and painful deaths of the street dogs / animals or pet due to attack of incurable virus such as Canine Distemper, Canine Parvo, Canine Hepatitis, Canine Para-influenza (CPi) infection, Leptospirosis and Coronavirus (dogs specific) and further direction R-4 to R-6 to disclose/submit the similar "data/record" in Delhi, of the period last seven years, before this Hon'ble Court within time framed;

j). Alternatively, direction or guidelines for all the respondent (s) as per their jurisdiction to consider the suggestions as abovementioned in grounds Para No. "Z" of this petition;

k). Without prejudice to the generality of the above prayers above, that this Hon'ble High Court also be pleased to issue as Writ of Mandamus or a writ in the nature of Mandamus or any other appropriate writ, directing the respondent/respondents no. 1 and 6 to disclose on affidavit to this Hon'ble Court the action taken report/ inquiry if done with respect to prayer no. (a), (b), (c), (d),(e), (f), (g), (h), (i) and (j) for the modernization of Animal Hospital to save the life of street animals / domestic animals, at large scale for the above together with applicable within time frames.

l). Pass any other order, which deems fit and proper to this Hon'ble Court in the interest of Justice."

2. At the outset, learned counsel for the Respondents No.1 and 2 takes an objection to impleadment of Respondent No.1 in the present petition.

3. Having heard the learned counsels for both sides, we are of the view that there is merit in the objection, more particularly, on account of the fact that the grievances ventilated by the Petitioner can be adequately redressed by the remaining Respondents. We accordingly delete Respondent No.1 from the array of parties.

4. Perusal of the prayer clause of the writ petition indicates that multifarious reliefs have been sought by the Petitioner. However, after hearing the arguments canvassed by learned counsel for the Petitioner, it appears that the major grievances highlighted by the Petitioner are with respect to making immediate arrangements for supply of complete dose of life saving "Canine DHPPi Vaccine (Distemper Combined 9-in 1) against deadly "Canine Distemper & Parvo Virus" (like Corona-virus for street dogs/cats/pets/lions/leopards) along with all supportive medicines to cure distemper disease during treatment and post distemper, in all Veterinary Hospitals /dispensaries of GNCTD, which are required for the welfare of the animals. Direction is also sought to appoint permanent Vet Expert Team / Committee to monitor / regulate the supply of the life saving and other drugs required for treatment of the animals.

5. There is no doubt that the cause espoused by the Petitioner is laudable and calls for action on the part of the Respondents. The Petitioner has highlighted certain crucial issues in the petition which are required to be taken cognizance of. We, therefore, direct the concerned Authorities to treat this writ petition as a representation and look into the grievances ventilated and issues flagged by the Petitioner, as expeditiously as possible and with utmost seriousness. We are sanguine that the Respondents shall take necessary action that is required to be taken and redress the grievances, in

accordance with law, including the various other reliefs sought in the petition which have not been mentioned above for the sake of brevity.

6. With these observations, writ petition is disposed of.

CHIEF JUSTICE

JYOTI SINGH, J

AUGUST 05, 2021/rd

