

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WP (PIL) No. 72 of 2016**

In Reference of Prisoner Nageshwar Rao of Jail Bilaspur regarding medical treatment S/o Nageshwar Rao, Central Jail Bilaspur (Chhattisgarh) Pin 495001

---- Petitioner**Versus**

1. State of Chhattisgarh Through Secretary, Department of Home Secretariat, Mahanadi Bhawan, New Raipur, P.S. and Post Rakhi, District Raipur (Chhattisgarh)
2. Jail Superintendent, Central Jail Bilaspur, (Chhattisgarh)

---- Respondents

For Respondents/State : Shri A.S. Kachhawaha,
Additional Advocate General

Hon'ble Shri Deepak Gupta, Chief Justice**Hon'ble Shri Justice Sanjay K. Agrawal****Order on Board****19/09/2016**

1. This writ petition was taken up on the basis of letter dated 19.8.2016 written to one of us (Chief Justice), wherein, the compliant of the Petitioner is as follows:

“The petitioner is inmate of Central Jail, Bilaspur. His grievance is that he has some medical ailment with regard to urinary bladder. According to him, he was admitted in CIMS Hospital, Bilaspur on 28.3.2016, thereafter he was referred from CIMS Hospital, Bilaspur to Pt. Jawaharlal Nehru Hospital, Sector-9, Bhilai, Distt. Durg where he was admitted on 12.4.2016 and operated on 14.4.2016. He was discharged from that hospital on 25.4.2016 and was asked to come back on 6.5.2016 for further check-up. His grievance is that he has never taken to the hospital of Durg/Bhilai for follow up check-up and treatment on 6.5.2016.”

2. Affidavit has been filed on behalf of the Respondents/State and in view of the affidavit, we close the matter. But, we make it clear that it was the duty of the Jail Authorities to ensure in each and every case that a person who is in jail should be taken to the hospital whenever need arises and if the hospital authorities direct that the patient should be brought back for further check-up after a specified period, then it will be the duty of the Jail Authorities to ensure that the said inmate is taken to the hospital within the time given by the Doctor. We want to make it clear that it is the responsibility of the Jail Authorities to ensure well-being and health of the inmates of the jail.

3. Copy of this order be sent to the Director General of Police, Raipur who shall ensure that copy of this judgment is sent to all concerned and in future, if we come across any instance where any inmate of the jail is not taken to the hospital even after being advised by the medical authorities and if something untoward happens, then we shall take strict action against the said officials.

4. With the aforesaid directions, this petition is disposed of.

Sd/-

(Deepak Gupta)
Chief Justice

Sd/-

(Sanjay K. Agrawal)
Judge