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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 6756/2016 & CM No.27768/2016

RAJ NARAYAN

..... Petitioner

Through: Mr Narender Singh Yadav, Advocate.

versus

ALL INDIA INSTITUTE OF MEDICAL SCIENCES
AND ORS

..... Respondents

Through: Mr Anuj Aggarwal, ASC, GNCTD
with Ms Niti Jain, Advocate for SHO,
Hauz Khas.
Mr R.K. Gupta, Advocate for AIIMS.
SI Om Prakash, PS Hauz Khas

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **22.08.2017**

1. The petitioner has filed the present petition, *inter alia*, impugning an order dated 05.02.2016 issued by respondent no.3 restraining petitioner's entry into the premises of All India Institute of Medical Sciences, New Delhi (AIIMS).
2. In compliance with the orders of this Court, the police authorities have filed a status report. This report indicates that, on 04.02.2016, certain doctors and faculty members of AIIMS were sitting on *dharna* outside the PC/Teaching Block foyer of AIIMS to protest the termination of Dr. Kuldeep Kumar. The permission to protest was restricted to faculty members only, however, the petitioner, who has no connection with AIIMS (except that he claims to be an RTI activist) had joint the protest without due

permission. It is alleged that the petitioner had indulged in certain violent acts on that date. However, the police authorities have found such allegations to be incorrect. The status report (which is also relied upon heavily by the petitioner) indicates that the petitioner was taking photographs without any permission and this had resulted in minor altercation between the protesting doctors/faculty members and the petitioner. According to the police authorities no cognizable offence was made out and, therefore, the complaint made by AIIMS to police authorities has been disposed of.

3. The learned counsel for the petitioner states that since the allegation of violence has not been found to be correct, the order restraining his entry into AIIMS should be quashed. On a pointed enquiry as to what business does the petitioner have with AIIMS, the learned counsel submits that it is a public place and, therefore, he has a right to visit the same.

4. Undoubtedly, AIIMS is a public place, however, it is an institution meant for imparting education and medical treatment. It is not a place for busy bodies to saunter in whenever they like, without any business in the institution. This Court is also conscious of the volume of persons visiting AIIMS for medical treatment and *prima facie*, permitting any person to visit the premises without any business at all is likely to add further pressure on the institution and disrupt the functioning of the institution. Needless to mention that such disruption would, inevitably, be at the cost of patients seeking medical treatment. Therefore, this Court finds no infirmity with the decision of the AIIMS authorities restricting the entry of the petitioner to the AIIMS campus.

5. Thus, the present petition is disposed of by directing that unless the

petitioner is able to satisfy the authorities regarding his *bonafide* need to visit the premises, the AIIMS authorities are under no obligation to permit the petitioner to enter their campus.

6. This Court is not persuaded to accept that the petitioner has an unrestricted and untrammelled right to visit the institution on account of AIIMS being public hospital/institution.

7. The petition is disposed of with the aforesaid observations.

VIBHU BAKHRU, J

AUGUST 22, 2017

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