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

+ W.P.(C) 158/2016 and CM No.15654/2017

REKHA DEVI

..... Petitioner

Through: Ms.Sija Nair Pal, Adv.

versus

MINISTRY OF HEALTH & FAMILY

WELFARE & ORS

... Respondents

Through: Mr.Sanjay Jain ASG with
Mr.Jasmeet Singh, CGSC.
Shreevats and Ms.Pallavi
Shali, Adv.
Mr.Peeyoosh Kalra, ASC
with Mr. Shiva Sharma,
Adv. for R-2 to R-6.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER

% **25.05.2017**

1. This writ petition has been filed complaining that the Anti Retroviral Treatment for the people living with HIV is not adequately available in Delhi. The respondents have filed an affidavit explaining the circumstances in which the shortage had resulted on some occasions and also indicated the steps which have been taken to remove the same. We are assured that every steps shall be taken to ensure that no such shortage occur in future. In view thereof, the prayer made at Sl. Nos. (iii) to (viii) stands

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satisfied.

2. In prayer no.(i). The petitioner seeks direction to the respondent nos.1 to 4 to ensure that all the vacant post of doctors and other staff at the Anti Retroviral Treatment Centres (ART Centres) in Delhi are filled up. There can be no dispute to the fact that these posts are required to be filled up at the earliest. The respondents shall ensure that all vacant seat to the posts of doctors as well as ancillary staff in ART Centres in Delhi are filled up at the earliest.

3. A grievance is also made by the petitioner that to avail the medical facilities, for a person below the poverty line, who is HIV positive, the ART Centres are insisting of production of Aadhar Card, even though the person produces a BPL or AAY card.

4. We are informed by Mr.Sanjay Jain, learned ASG that as per the short affidavit filed by the Respondent no.4/GNCTD, the Aadhar card cannot be insisted upon and that production of any identity proof in the nature of ration card/voter card/ART treatment card can be produced for availing medical facilities. The applicants can also submit the National Food Security Card as income proof, as these cards are intended for the population living below the poverty line.

5. The respondents shall ensure that the staff at the ART Centres are informed about all these requirements and options and that no person is denied the medical facility despite production of the identification.

6. Ld. Counsel for the petitioner submits that in view of the above directions, all prayers made in the writ petition are satisfied.

Accordingly, the writ petition and application are disposed of in the above terms.

Dasti.

ACTING CHIEF JUSTICE

MAY 25, 2017
mr

C.HARI SHANKAR, J

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