

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition (PIL) No. 21 of 2017

- Rajendra Singh Arora S/o Shri Sujan Singh Arora, Aged About 62 Years Businessman, R/o M I G 10, Vaishali Nagar, Supela, Bhilai Nagar, Dist Durg Chhattisgarh

---- Petitioner

Versus

1. The State Of Chhattisgarh Through Secretary, Public Health And Welfare Department, Mahanadi Bhawan, Naya Raipur Chhattisgarh
2. The Municipal Corporation, Bhilai, Through Its Commissioner, District : Durg, Chhattisgarh
3. Chandulal Chandrakar Memorial Hospital, Through Its Executive Director Dr. M. P. Chandrakar, Nehru Nagar Chowk, G. E. Road, Bhilai, District : Durg, Chhattisgarh
4. B. M. Shah Hospital And Medical Research Centre, Through Its Chairman H. B. Shah, Shastri Nagar, Supela, Bhilai, District : Durg, Chhattisgarh

---- Respondents

For Petitioner	:	Shri Animesh Verma, Advocate
For Respondent No.1/State	:	Shri Y.S. Thakur, Addl. Adv. General
For Respondent No.2	:	Shri Pankaj Agrawal, Advocate
For Respondent No.3	:	Shri Kanak Tiwari, Senior Advocate assisted by Shri Varun Sharma, Advocate
For Respondent No.4	:	Shri Ravi Ranjan Sinha, Advocate

Hon'ble Shri Ajay Kumar Tripathi, Chief Justice

Hon'ble Shri Parth Prateem Sahu, Judge

Order on Board

Per, Ajay Kumar Tripathi, Chief Justice

21.08.2018

1. Heard counsel for the parties.
2. Since nothing by way of specifics have emerged with regard to violation committed by either of the two hospitals, who are Respondents, in not meeting the obligation for providing free or subsidised treatment to the persons below poverty line, therefore, the generality of the allegations cannot be inquired or investigated by the State.
3. If any instance of breach of the kind is brought to the notice of the hospital, it is their solemn assurance being given by their counsel that the management

will not only take remedial measures, but also make suitable amends if needed.

4. In addition to that if any individual has any grievance against the service not being provided by the hospital in lieu of subsidised land and facilities which have been extended to them, it can always be brought to the notice of the regulatory authority or the competent person which includes the Municipal Corporation which has provided land to the two hospitals.
5. In view of the above, the PIL stands disposed off, but with the underlined assurance given to the Court of the obligations which the two hospitals have towards the people of Chhattisgarh, especially of the poor kind, should not be lost sight of.

Sd/-
(Ajay Kumar Tripathi)
Chief Justice

Sd/-
(Parth Prateem Sahu)
Judge