

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

PUBLIC INTEREST LITIGATION NO. 21 OF 2015

Mr. Rakesh Subhash Bhamare	...	Petitioner
V/s.		
State of Maharashtra & ors	...	Respondents

WITH
CONTEMPT PETITION (ST) NO. 9653 OF 2018

Shri Rakesh Subhash Bhamare	...	Petitioner
v/s.		
Shri Dr. Subhash Bhamare, Member of Parliament & Ors.	...	Respondents

Mr. Amit Gharathe I/b. Mr. Jayendra D. Khairnar for the petitioner.

Mr. A.A. Kumbhakoni, AG @ Mr. B.V. Samant, AGP for respondents 1 to 3 (PIL 21/15) and respondent no.7 (cpst 9653/18).

Ms. Sukhaman Rait i/b Mr.S.S. Patwardhan for respondent no.4 (PIL 21/15) and respondents 3,4 and 8 in cpst 9653/18.

***CORAM : NARESH H. PATIL AND
G.S. KULKARNI, JJ.***

Lata Sunil
Panjwani

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Lata Sunil
Panjwani
Date: 2018.07.19
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13th July, 2018.

P.C.

The learned Advocate General has placed on record a Chart

showing the work carried out by the medical experts attached to Civil Hospital and the Doctors practicing privately, in the month of June, in the city of Malegaon. The report is encouraging. We are informed that 3 Gynecologists from Civil Hospital have conducted 312 deliveries and 119 Cesarean Section. 12 Gynecologists and 12 Anesthetist from private hospitals have also contributed. They have conducted 285 deliveries and 8 Cesarean Sections and have provided 24 hours service. It is informed that they have shown their willingness to extend co-operation as and when required by the administration.

2. We appreciate the gesture which must have helped large number of patients in Malegaon. We further expect the administration to encourage private doctors for getting them involved in such exercise, which would be a step in larger public interest.

3. It is informed that in the month of June 11411 outpatients were examined. Around 2860 indoor patients were also examined. The Chart is taken on record and marked-X for identification. The Chart

which is placed on record showing the work done by Specialists Doctors at Civil Hospital, Malegaon. Several steps are being taken on various issues raised by the petitioners. We find that on major issues, affidavit and report of compliance is placed on record. We expect the administration would continue the work in the same manner so that poor patients are benefited and this could be a model exercise to be followed in the rest of State of Maharashtra.

4. The State would also take necessary steps to protect the Civil Hospital properties in the State of Maharashtra by erecting boundary walls, necessary fencing and by appointing appropriate agencies to safeguard these properties and hospitals for an orderly administration, within the hospital premises. The learned Advocate General would discuss this issue with the concerned Secretary of the Ministry of the State and we expect that State would certainly take necessary steps.

5. Insofar as Contempt Petition is concerned, we are informed by

the learned Advocate General and statement is supported by even the Counsel appearing for the petitioner that the Chairman of the Committee, the Hon'ble Minister for Union of India had personally visited the place and spent substantial time instructing the administration for taking necessary steps. We find that active involvement of the Hon'ble Minister at the ground level must have made certainly a difference. The learned Advocate General assures that in future too with the active assistance of all concerned, public spirited citizens, representatives, the Hon'ble Minister would continue to issue appropriate instructions.

6. We dispose of the Contempt Petition in view of the material placed on record before this Court.

7. The reconstituted Committee would continue to function. We expect the State to continue to monitor the issues like recruitment of staff on regular basis, appointment of medical officers. In future, if any issues arises where the intervention of the Court is required, such

issues could be looked into. With these observations, the Public Interest Litigation stands disposed of.

8. We appreciate the assistance of learned Advocate General of the State.

9. The Registry to forward copy of the order to the Chief Secretary, State of Maharashtra.

(G.S.KULKARNI, J)

(NARESH H. PATIL, J.)

L.S. Panjwani, P.S.