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

+ W.P.(C) 9259/2018 & CM No. 44320/2018

KIRAN & ORS

..... Petitioners

Through: Mr Ashok Aggarwal and Mr Kumar
Utkarsh, Advocates.

versus

ST. STEPHEN HOSPITAL & ORS

..... Respondents

Through: Mr Rajeev Sharma and Ms Radha
Lakshmi R., Advocates for R-1.
Mr Santosh Kumar Tripathi, ASC,
GNCTD for R-2.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **23.10.2018**

1. The petitioners have filed the present petition, *inter alia*, praying as under:-

“(i) issue any appropriate writ, order or direction directing Respondent St. Stephen’s Hospital to forthwith provide free treatment to petitioners under EWS category;

(ii) issue any appropriate writ, order or direction directing Respondent Government and Respondent L&DO to take action against the Respondent Hospital in accordance with law for failure on the part of Respondent Hospital to provide free treatment to petitioners.

(iii) pass any such other or further orders or direction as this Hon’ble Court may in the facts and circumstances of the present case deem fit and appropriate, in favor of the beneficiary whose cause is espoused by the Petitioners and against the Respondents.”

2. The learned counsel appearing for respondent nos.1 and 2 state that

the grievance of the petitioners does not survive as respondent no.1 hospital is providing free treatment to patients of EWS Category and a Nodal Officer for facilitating the same, has been appointed.

3. Admittedly, a nodal officer has been appointed and is stationed at the hospital. There is no reason to doubt the assertion that respondent no. 1 hospital is providing treatment to EWS category patients without any charge. In view of the above, the grievance of the petitioners as articulated in the petition is addressed.

4. In addition to the averments made in the petition, the petitioners have also filed an application praying that direction be issued to respondent no.2 to immediately take necessary steps for restoring the functioning of its official website, which provides information as to the availability of free beds/facilities in the identified private hospitals of Delhi. The learned counsel appearing for respondent no.2 does not oppose this relief. Accordingly, respondent no.2 is directed to take all necessary steps, as expeditiously as possible, to ensure that its website is functional and all information relating to all facilities (including information as to IPD and OPD) are available to the public at large.

5. The petition is disposed of with the aforesaid direction. The pending application is also disposed of.

6. The hearing scheduled on 12.11.2018 is cancelled.

7. Order *dasti* under signatures of the Court Master.

VIBHU BAKHRU, J

OCTOBER 23, 2018/MK