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

+ W.P.(C) 5103/2017 & C.M.No.30013/2018 (*impleadment*)

INDIAN PROFESSIONAL
NURSES ASSOCIATION

..... Petitioner

Through: Dr.Amit George, Adv. with
Mr.Rishabh Dheer, Mr.Amol Acharya, Adv.

Versus

GOVT. OF NCT OF DELHI & ANR

..... Respondents

Through: Mr.Sanjay Ghose, ASC with
Mr.Rishabh Jetley, Adv. for GNCTD.

Mr.Vinod Diwakar, CGSC with Ms.Sakshi Singh,
Adv. for R-2.

Mr.Pusshp Gupta, Adv. with Mr.Devang Gautam,
Adv. for R-3.

Mr.Jose Abraham, Adv. with Mr.M.P. Sri
Vignesh, Mr.Blessan Mathews, Adv. for the
impleader.

+ W.P.(C) 7996/2018 & C.Ms.No.30693/2019, 30694/2019

TRAINED NURSES ASSOCIATION OF INDIA Petitioner

Through: Mr.Romy Chacko, Adv. with
Mr.Shakti Chand Jaidwal, Adv.

Versus

UNION OF INDIA

..... Respondent

Through: Mr.Amit Mahajan, CGSC with
Mr.Gitesh Chopra, Adv.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE C.HARI SHANKAR

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ORDER
22.07.2019

1. These writ petitions have been preferred mainly for the implementation of the recommendations of the expert committee constituted to examine the working conditions of nurses in compliance with the judgment of the order delivered by Hon'ble Supreme Court on 29th January, 2016 in W.P.(C) No.527/2011.
2. Looking into the prayer made in W.P.(C) No.5103/2017 it is also prayed by the petitioners that order dated 24th February, 2016 issued by Ministry of Health and Family Welfare, Government of India is also required to be implemented by Respondent No.1 – Government of National Capital Territory of Delhi.
3. Learned counsel appearing for both the sides have taken this Court to various annexures and orders passed by this Court including orders dated 31st May, 2017; 1st August, 2017 as well as the order dated 29th January, 2016 (Annexure P-4) passed by the Hon'ble Supreme Court in W.P.(C) No.527/2011 and also the recommendations of the Committee dated 1st August, 2017. The constitution of the Committee is at page No.69 of W.P.(C) No.5103/2017.
4. Learned counsel for both the sides have also taken this Court to the report given by the Committee which is at Annexure P-7 to the memo of W.P.(C) No.5103/2017 which has made a reference about the salary of the nurses as well as their working conditions. Moreover, Ministry of Health and Family Welfare has also issued a letter in the form of directions to all the States to implement these recommendations. This circular/direction of the Ministry of Health and Family Welfare is at page No.72 of the writ petition.
5. It appears from the facts of this case that nothing much is required to be

decided by this Court. What is expected to be done is the implementation of the order passed by the Hon'ble Supreme Court which is more elaborate than the report given by the Committee and the circular/direction issued by the Ministry of Health and Family Welfare dated 25th June, 2018.

6. Learned counsel appearing for the respondents have submitted that the Ministry of Health and Family Welfare, Government of India circular/direction dated 25th June, 2018 is already made subject matter of the writ petitions and the lead writ petition being W.P.(C) No.7291/2018. The said writ petition has already been argued out and is awaiting for its final outcome.

7. Be that as it may, we hereby direct respondent No.1-Government of NCT of Delhi to implement the directions given by the Hon'ble Supreme Court in the decision dated 29th January, 2016 in W.P.(C) No.527/2011 to be read with report given by the Committee which is at Annexure P-7 (Page No.71) of W.P.(C) No.5103/2017 in accordance with law, rules & regulations as early as possible and practicable. This implementation would, needless to say, abide by the outcome of the challenge, pending in this Court, to the legality of the direction dated 25th June, 2018 issued by the GNCTD.

8. With these observations, these writ petitions are disposed of.

9. The pending applications also stand disposed of.

CHIEF JUSTICE

C.HARI SHANKAR, J

JULY 22, 2019/ 'anb'