

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-PIL No. 6 of 2020 (O&M)

Date of decision: 29.1.2020

Shivam Sharma

.. Petitioner

vs

Union of India and others

.. Respondents

**Coram: Hon'ble Mr. Justice Rajiv Sharma,
Hon'ble Mr. Justice Harinder Singh Sidhu**

Present Mr. Abhinay Sharma and
Ms. Nevadita Sharma, Advocates, for the petitioner.

Mr. Satya Pal Jain, Additional Solicitor General of India with
Mr. Ashish Rawal, Advocate, for Union of India.

Mr. I. P. S. Doabia, Additional Advocate General, Punjab and
Mr. Sahil Sharma, Deputy Advocate General, Punjab.

Mr. Amit Jhanji, Advocate, for B.B.M.B.

Rajiv Sharma, J.

In the morning session, we had requested learned Additional Advocate General, Punjab, for the presence of the Secretary Health, Punjab.

Mr. Kumar Rahul, Secretary Health, Government of Punjab, and Dr. Avneet Kaur, Director, Health & Family Welfare, Punjab are present in Court. We have a long interaction with them.

Mr. Kumar Rahul has shown his concern for the vacancies which are lying vacant in the various hospitals in District Hoshiarpur. Right to Health is a Fundamental Right under Article 21 of the Constitution of India.

We have gone through the document dated 27.1.2020 placed on record by learned Additional Advocate General. Number of vacancies are lying vacant in specialised categories. He has assured us that the vacancies which are lying vacant in District Hoshiarpur would be filled up within a period of two months from today by completing all the codal formalities. We place on record our sincere and deep appreciation for the concern reflected by Mr. Kumar Rahul in preserving, conserving and saving human life.

In the morning session, we had also requested Mr. Amit Jhanji, Advocate, to seek instructions about the vacancies lying vacant in B.B.M.B. Hospital at Talwara. He on the basis of instructions imparted to him submits that all the vacancies may be permitted to be filled initially on contractual basis as per the policy framed by the B.B.M.B. We also appreciate the sincere efforts made by the B.B.M.B. for this very sensitive issue. We direct the B.B.M.B. to fill up all the vacant posts of various specialised categories in B.B.M.B. Hospital at Talwara on contractual basis within three weeks from today. B.B.M.B. is directed to advertise the posts on their official website.

Learned counsel for the petitioner has also made a prayer that there is no medical college in District Hoshiarpur.

Mr. Kumar Rahul has brought to the notice of the Court that the State of Punjab has recently taken up the matter with the Union of India for upgrading District Hospital, Hoshiarpur as medical college.

We accordingly direct the Union of India to take a final decision to upgrade the District Hospital, Hoshiarpur as a Medical College within three months from today. We hope and trust that the medical college

will start functioning from the next academic session after getting all the necessary statutory permissions and by improving the infrastructure.

We also appreciate learned counsel for the petitioner for bringing this petition of public importance.

With the observations and directions issued hereinabove, the writ petition stands disposed of.

(Rajiv Sharma)
Judge

29.1.2020
vs

(Harinder Singh Sidhu)
Judge

Whether speaking/ reasoned

Yes/No

Whether Reportable

Yes/No