

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-PIL No. 41 of 2020 (O&M)

Date of decision:- 24.04.2020

Kamal Deep Sehra, Advocate

.....Petitioner

Versus

Union of India and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE.

Present:- Mr. Kamaldeep Sehra, Advocate in person.
Mr. Satya Pal Jain, Addl. Solicitor General of India with
Mr. Dheeraj Jain, Advocate for Union of India.
Mr. Pankaj Jain, Sr. Standing Counsel for Union Territory, Chandigarh.
Mr. P.S.Bajwa, Addl. Advocate General, Punjab.
Mr. Deepak Balyan, Addl. Advocate General, Haryana.

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RAVI SHANKER JHA, C.J. (ORAL)

This petition has been filed by the petitioner by way of Public Interest Litigation praying for a direction to the respondent-authorities to comply with the guidelines issued by the Government of India dated 24.03.2020 regarding containment of COVID-19. He has also prayed for undertaking the steps for screening of the staff as well as essential service providers during this period as contained in the guidelines.

The respondents on advance copies have submitted their respective response.

We have heard learned counsel for the parties through video conferencing (Webex App software) with the consent of the parties.

Learned Additional Solicitor General of India appearing for Union of India submits that they have already issued proper guidelines and are constantly monitoring their implementation. He further submits that all the authorities are duly complying with the same and there is full cooperation between all those involved in the battle against COVID-19 pandemic. He further submits that they are not treating this litigation as adversarial and that in case the petitioner has any further suggestion or in

case any instance of violation of the guidelines comes to his knowledge, he may approach the concerned authorities or Nodal Officers concerned who will immediately look into the same.

Learned Senior Standing counsel appearing for Union Territory, Chandigarh, learned Additional Advocate General appearing for the State of Punjab and learned Additional Advocate General appearing for the State of Haryana reiterated the submission made by learned Additional Solicitor General of India. In addition, learned Senior Standing Counsel for Union Territory of Chandigarh submits that they have already issued instructions for screening of all the essential service providers and as on date as many as 2058 people have been screened. He has also stated that 11 teams of Doctors and six other dedicated teams are already undertaking active screening of those involved in food distribution and other essential commodities. He submits that Union Territory, Chandigarh has infact decided to screen all the citizens of Chandigarh, pursuant to which more than 813349 persons have already been screened.

Learned Additional Advocate General appearing for the State of Haryana submits that they have issued similar directions as issued by the Government of India on 23.04.2020 and are taking all necessary steps for screening the staff involved in providing essential services.

Learned Additional Advocate General appearing for the State of Punjab submits that similar instructions have already been issued by the State of Punjab on 28.03.2020 and 05.04.2020 and necessary steps are being undertaken by them.

In view of the aforesaid stand of the respondents and the steps being undertaken by them pursuant to the directions issued by the Union of India we do not find any reason to issue any further direction to the respondents at this stage.

We accordingly dispose of this petition granting liberty to the petitioner to approach the authorities in case any particular instance of violation of the guidelines comes to the petitioner's notice or in case the petitioner wishes to make any further suggestion to the authorities regarding implementation of the guidelines issued by the Union of India.

Before we part with the case we wish to record our appreciation for the stand taken by all the respondents as also the petitioner that the petition is not adversarial and that all of them are willing to work together towards fighting with the pandemic Covid-19 and for taking all necessary steps in furtherance thereof.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

24.04.2020
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No