

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

CWP-7864-2020

Date of Decision: 09.06.2020

Shivam Sharma & others

. Petitioners

Vs.

Union Territory of Chandigarh

. Respondent

**CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN
HON'BLE MR.JUSTICE ASHOK KUMAR VERMA**

Present: - Mr.Shivam Sharma-Petitioner No.1-in-person
(Representing other petitioners also)

RAKESH KUMAR JAIN, J.

Case taken up through video conferencing.

The petitioners are the residents of Sector 22-D, Chandigarh, who have prayed for the issuance of a writ in the nature of certiorari for quashing Clause 3.4.1 of the contingency plan of Covid-19 issued by the Chandigarh Administration [for short 'the Administration'] on 14.04.2020, *inter alia*, on the ground that the decision of the Administration to convert Sood Dharamshala, Sector -22D, Chandigarh [for short 'the Dharamshala'] into Covid Care Centre [for short 'the Centre'] is not only contrary to the Guidelines for Quarantine Facilities Covid-19 [for short 'the Guidelines'] but also is in violation of Article 21 of the Constitution of India.

Petitioner No.1, appearing in-person, has referred to the Press release of 12.5.2020 regarding the 'War Room Decisions' of the Administration in which it is averred that there are 154 active cases and the Centre has been operationalised in Dharamshala which shall be maintained with the medical team from GMCH, Sector 32, Chandigarh. While referring to the Guidelines, it

is submitted that the quarantine facility should be on the outskirts of the urban city area. The sum and substance of the anxiety of the petitioners is that the Dharamshala is in close proximity to their residential area and since Corona Virus [for short 'the Virus'] transmits from human to human in many ways, therefore, there is a threat to their health and security.

We have heard petitioner No.1-in person and perused the available record with his able assistance.

It is pertinent to mention that not only the writ petition is silent regarding detection of any positive case of the Virus in the residential area of Sector 22-D but petitioner No.1 has also candidly admitted about it.

Be that as it may, it would be relevant to bring on record the fact that the Administration has created 12 such Centres for the Covid-19 patients.

The list of said institutions is reproduced as under: -

1.	<i>Sood Dharamshala, Sector 22, Chandigarh.</i>	<i>300 beds</i>
2.	<i>Panchayat Bhawan, Sector 18, Chandigarh.</i>	<i>109 beds</i>
3.	<i>GMCH-32 Hostel</i>	<i>100 beds</i>
4.	<i>Panjab University International Hostel</i>	<i>120 beds</i>
5.	<i>Infosys Sarai, PGIMER, Chandigarh</i>	<i>254 beds</i>
6.	<i>Panjab University Girls Hostel No.8</i>	<i>170 beds</i>
7.	<i>Panjab University Girls Hostel No. 9</i>	<i>170 beds</i>
8.	<i>Panjab University Girls Hostel No. 10</i>	<i>170 beds</i>
9.	<i>Govt. School behind PGIMER</i>	<i>200 beds</i>
10.	<i>Parkview Hotel, Sector 24,</i>	<i>312 beds</i>

	Chandigarh	
11.	James Hotel, Sector 17, Chandigarh	270 beds
12.	Private Hospitals/Nursing Homes	500 beds

The Administration has also provided for ‘Mapping of Hospitals’, ‘Relieving Staff’, ‘Administrative Staff’, ‘Food, Laundry and Medical Equipments responsibility’ and ‘Mapping of Ambulances in Covid Care Centres’. As this matter pertains to the Dharamshala, therefore, the relevant information appended for the Contingency Plan in the form of Annexure A to E, is as under: -

“ **Annexure – A**
Mapping of Hospitals

<u>Covid Care Centres</u>	<u>Dedicated health CARE Centre</u>	<u>Dedicated Hospital</u>
Sood Dharamshala, Sector-22, Chandigarh	GMCH-32	Medical Hospital, Sector-48

Annexure – B
1. Sood Dharamshala, Sector-22, Chandigarh

<u>Sr. No.</u>	<u>Doctors</u>	<u>Mob. No.</u>
1.	Dr. Mahesh K Sharma (Allopathic)	9646121529
2.	Dr. Sonia Puri (Allopathic)	9646121657
3.	Dr. Ranjeev Bhagat (Allopathic)	8284006644
4.	Dr. Anita Chautani, (Ayush)	9888301595
5.	Dr. Rajiv Kapila, (Ayush)	9888079745
<i>Nursing Sisters (02 for each shift)</i>		
1	Ms. Shreya Gupta	

2	Mr. Ajay Kumar Virawat
3	Mr. Nand Ram
4	Ms. Sonali Sorya
5	Mr. Kamal Kishor Prajapat
6	Mr. Surinder
Attendants (02 for each shift)	
1	Mr. Deepak Thakur
2	Mr. Om Parkash
3	Mr. Raju
4	Mr. Arun Kumar
5	Mr. Amrinder Thakur
6	Mr. Chanderpal Singh
Safai Karamcharis (02 for each shift)	
1	Mr. Suraj
2	Mr. Ram Avtar
3	Mr. Vinod Kumar
4	Mr. Kulwant
5	Mr. Krishan Pal
6	Mr. Sunil Chaouhan
S. Guards (02 for each shift)	
1	Mr. Rakesh Kumar
2	Mr. Jaswinder Singh
3	Mr. Kamaljit Singh
4	Mr. Ramandeep Kumar
5	Mr. Jaspal Singh
6	Mr. Gurjent Singh

Annexure – B
Reliever for GMCH-32, Chandigarh
Nursing Sisters Staff

<u>Sr. No.</u>	<u>Name</u>	<u>Department</u>
1.	Mr.Yashwant Kumar	GMCH-32
2.	Mr.Mahesh Kumar	GMCH-32
3.	Mr.Mohd. Asif	GMCH-32
4.	Ms.Tarun Kumari	GMCH-32
5.	Mr.Bhuvnesh Sharma	GMCH-32
6.	Mr.Mahender Singh	GMCH-32
Attendants Staff		
1	Mr.Gurder Singh	GMCH-32
2	Mr.Devi Lal	GMCH-32
3	Mr.Lakhvir Singh	GMCH-32
4	Mr.Suresh Kumar Yadav	GMCH-32
5	Mr.Chander Pal	GMCH-32
6	Mr.Arun Kumar	GMCH-32
Safai Karamcharis Staff		
1	Mr.Rattan Kumar	GMCH-32
2	Mr.Krishan	GMCH-32
3	Mr.Salim	GMCH-32
4	Mr.Ajay	GMCH-32
5	Mr.Surinder	GMCH-32
6	Mr.Manoj	GMCH-32
S. Guards Staff		
1	Mr.Tarminder Singh	GMCH-32
2	Mr.Pawan Kumar	GMCH-32
3	Mr.Amarjit Singh	GMCH-32
4	Mr.Sukhjinder Singh	GMCH-32

Annexure – C
ADMINISTRATIVE STAFF

<u>Sood Dharamshala</u>		
<i>Administrative Officers</i>	<i>Xen. Sh. Jasvinder Singh</i>	<i>9815259600</i>
	<i>Sh. Ashok Dewan, Manager</i>	<i>7018983382</i>
	<i>Sh. Ranjit Singh</i>	<i>9418366122</i>
	<i>Sh. Rajesh Sehmbi (Reserve)</i>	<i>9815633088</i>

Annexure – D
Food, Laundry & Medical Equipments Responsibility

<u>Covid Care Centres</u>	<u>Laundry</u>	<u>Food</u>	<u>Medical Equipments</u>
<i>Sood Dharamshala, Sector-22, Chandigarh</i>	<i>Hotel Shivalik View</i>	<i>GMCH-32</i>	<i>GMCH-32</i>

Annexure – E
Mapping of Ambulances to Covid Care Centres

<u>Covid Care Centres</u>	<u>Ambulance Vehicle No.</u>	<u>Drivers details</u>	<u>Name of the NGO</u>	<u>Name of the Head</u>
<i>Sood Dharamshala, Sector-22, Chandigarh</i>	<i>CH01-TB- 3077</i>	<i>Sh. Gurdeep 9914220130</i>	<i>Chandigarh</i>	<i>Sh. Sanjeev</i>

We have pondered over the anxiety of the petitioners but it has to be kept in mind that it is a war like situation when the entire human race is pitted against an invisible enemy which has spread its wings globally, taking lives of the hapless and helpless people without there any fault on their part. The persons fighting this war are called ‘Corona Warriors’. These peoples comes from all walks of life but to name a few, our security personnels, who are risking their lives by coming into contact with a confirmed and asymptomatic cases of Virus, only for maintaining social distancing and

requesting everyone to wear the mask. The para-medical staff, nurses and doctors are being directly exposed to the Virus, despite having necessary precautions of wearing the most tedious PPE kit and sophisticated mask but are not making any complaint and serving the nation to save the lives of millions. The Administration is working round the clock, putting harsh restrictions to contain the spread of this deadly disease, requesting the residents/citizens to follow the medical advice religiously not only to save themselves but also their near and dear ones and the community as a whole. The wheel of life has come to a standstill because of the lockdown and can rotate again when all shall give their unstinted support without raising unnecessary issues especially when no positive case of Covid-19 has been reported from the residential area of the petitioners.

Thus, without going any further into the nitty-gritty of the issue raised, we do not find any merit in this petition for the purpose of interference and hence, the same is hereby dismissed though without any order as to costs.

(RAKESH KUMAR JAIN)
JUDGE

(ASHOK KUMAR VERMA)
JUDGE

09.06.2020

Vivek

Whether speaking /reasoned : *Yes/No*
Whether Reportable : *Yes/No*