

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

CWP-(PIL)-76-2020 (O&M)

Date of decision:- 08.07.2020

Sameer Vashisht

...Petitioner

Versus

State of Haryana and others

...Respondents

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

Present:- Mr. Manish Vashisht, Advocate,  
Mr. R. Kartikeya, Advocate,  
for the petitioner.

Mr. Deepak Balyan, Additional Advocate General, Haryana.

Mr. Satya Pal Jain, Additional Solicitor General of India,  
with Mr. Dheeraj Jain, Senior Panel Counsel for the Union of India.

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**RAVI SHANKER JHA, C.J. (ORAL)**

With the consent of learned counsel for the parties, the matter is being taken up and heard via video conferencing (Webex App software).

The petitioner has filed this petition by way of public interest litigation raising several issues in respect of the problems being faced by public and patients in respect of shortage of testing labs, masks, beds, ventilators in private and government hospitals in Gurugram.

The State of Haryana has filed a short reply bringing on record the notification dated 01.07.2020 issued by the Department of Health & Family Welfare, Ministry of Health & Family Welfare, Government of India and has stated on affidavit that it has already addressed the issues raised by the petitioner in the petition. It is stated that the government hospitals have been augmented to deal with the rise of COVID patients and as many as 42 private hospitals have also been notified for the treatment of COVID patients. On the recommendations of the Indian Council of Medical Research (ICMR), the use of rapid point of care antigen test kits has also been started in the State of Haryana and the testing capacity in the government as well as the private labs in the State of Haryana has been enhanced and can further be enhanced looking to the requirement and need. It is further stated that daily bulletins are being issued by the State of Haryana and an online web portal, namely, <https://coronaharyana.in/> has also been put in place which gives detailed information regarding the number and names of dedicated Covid hospitals, dedicated Covid Health Centres/Covid Care Centres, number of beds (total/available), number of ventilators (total/available), testing labs, collection centres alongwith their maps etc. It is further stated that the State of Haryana has issued an order on 25.06.2020 fixing the rates and charges to be charged by the private hospitals for treatment of COVID-19 patients.

It is further stated in the affidavit that the State of Haryana is continuously upgrading the mechanism formulated by it looking to the COVID-19 situation and the State of Haryana is strictly following the guidelines dated 01.07.2020 issued jointly by the DGHS, ICMR and Secretary Health, MOHFW, Government of India.

In the circumstances, it is apparent that the State of Haryana has addressed most of the issues raised by the petitioner and is continuing to augment the response mechanism to the COVID-19 pandemic.

Mr. Satya Pal Jain, learned Additional Solicitor General appearing for the Union of India as well as Mr. Deepak Balyan, learned Additional Advocate General, Haryana submit that they do not treat such litigation(s) as adversarial and welcome all suggestions made by any such genuine person(s) and, therefore, apart from all these issues, in case the petitioner feels that some other issues are also to be looked into, the petitioner may file a representation before either of the authorities, which would look into the same and take a decision thereon expeditiously in accordance with law.

In view of the aforesaid, we do not find any reason to issue any other direction except for permitting the petitioner to file a representation before the concerned authorities, in case so advised.

The writ petition accordingly stands disposed of.

(RAVI SHANKER JHA)  
CHIEF JUSTICE

(ARUN PALLI)  
JUDGE

08.07.2020  
Amodh

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |