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

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Date of Decision: 4th June, 2020

+ W.P.(C) 3352/2020

KUSHAGRA KUMAR

..... Petitioner

Through: Mr. Harshvir Pratap Sharma,
Sr. Adv. with Ms. Damini Garg &
Mr.Kushagra Kumar, Adv.

versus

UNION OF INDIA AND ORS.

..... Respondents

Through: Mr. Anil Soni, CGSC with
Mr.Ripu Daman Bhardwaj, Adv. for UOI
Mr. Sanjoy Ghosh, ASC with Ms. Urvi
Mohan, Adv. for R-2 & R-3

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE PRATEEK JALAN

JUDGMENT

: **D. N. PATEL, Chief Justice (Oral)**

Proceedings of the matter have been conducted through video conferencing.

CM APPL.11816/2020 (exemption)

Allowed, subject to just exceptions.

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1. We have heard the petitioner in person, counsel for the petitioner as well as counsel for the respondents.
2. The main grievance ventilated by this petitioner is regarding the entry of non-Delhiites (particularly persons resident in other parts of the National
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Capital Region) into Delhi for the purpose of medical requirement/treatment.

3. Learned counsel appearing for respondent No.2 submitted that without carrying out due and proper research work, this so-called public interest litigation has been preferred. It is vehemently submitted by the learned counsel for respondent No.2 that this is a publicity interest litigation.

4. Learned counsel for respondent No.2 further submits that they are allowing everyone who are in need of medical services through Government, private or Government aided hospitals/clinics in Delhi irrespective of the status as to whether the person is a Delhiite or non-Delhiite. The only requirement for entering Delhi is to furnish e-pass issued by the concerned Nodal Officers/District Magistrates, which is easily available on providing the requisite details pertaining to medical exigencies. It is also submitted by the learned counsel for respondent No.2 that in pursuance of the Central Government declaration, popularly known as Unlock-1, consequential order has also been issued by the Government of NCT of Delhi and as per para 6(ii) of the said consequential order dated ^{1st} June, 2020, e-pass are being given to those who are in search of medical facility available within Delhi irrespective of the fact that the person who comes to Delhi is a non-Delhiite. Moreover, the District Magistrates of Noida and Gurugram are issuing passes to their residents to enter Delhi for medical treatment. Thus, the grievances of the petitioner are factually incorrect.

5. In view of the above submissions, the grievances of the petitioner ventilated in the writ petition about the entry of the persons who are not

ordinarily residing at Delhi but want to enter into Delhi for medical treatment/requirement, is already addressed by the respondent No.2, that too in black and white through a consequential order – Unlock-1 dated 01.06.2020.

6. We appreciate the stand taken by the respondent No.2 that the aforesaid circular dated 01.06.2020 issued by Government of NCT of Delhi, if not uploaded so far, will be uploaded on a Government website as early as possible so that public at large can take benefit of the mechanism of e-pass to enter Delhi for getting medical treatment. We also direct the respondent No.2 to highlight the same on their website by keeping it blinking in red or in any other colour.

7. With these observations, this writ petition is disposed of.

CHIEF JUSTICE

PRATEEK JALAN, J

JUNE 04, 2020

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