

HIGH COURT OF CHHATTISGARH, BILASPURWrit Petition (PIL) No.27 of 2020

Suo Moto WP (PIL)

Matters relates with COVID-19 Coronavirus Pandemic

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Versus

1. State of Chhattisgarh, Through the Chief Secretary, Mantralaya, Nava Raipur, Chhattisgarh, District Raipur, Chhattisgarh.
2. Secretary, Department of Health and Family Welfare, Mantralaya, Nava Raipur, District Raipur, Chhattisgarh.
3. Director General of Police, State of Chhattisgarh, Police Head Quarter, Raipur, District Raipur, Chhattisgarh.
3. The Union of India, Through the Secretary, Ministry of Health, New Delhi.
4. Drug Controller General India, CDSCO, FDA Bhawan, New Delhi.
5. Director, National Pharmaceutical Pricing Authority, YMCA Cultural Central Building, 5th/3rd Floor, New Delhi.
6. South East Central Railway represented by General Manager, Bilaspur, Chhattisgarh
7. Airport Authority of India represented by Airport Director, Raipur Airport, Raipur, Chhattisgarh.
8. State Legal Services Authority represented by the Secretary, Bilaspur, Chhattisgarh.

---- Respondents

Amicus Curiae: Mr. Prafull N. Bharat, Senior Advocate with Mr. Aakash Pandey, Advocate.

For Respondents No.1 to 3 / State: -

Mr. Sunil Otvani, Additional Advocate General.

For Respondent No.8 / Chhattisgarh State Legal Services Authority: -

Mr. Ashish Shrivastava, Senior Advocate with

Mr. Rohishek Verma, Advocate.

For Chhattisgarh State Bar Council: -

Mr. Kishore Bhaduri, Senior Advocate with Mr. Pankaj Singh, Advocate.

For Raipur Bar Association: -

Mr. Devershi Thakur, Advocate.

For Bilaspur Bar Association: -

Mr. K.K. Khatri, Advocate.

Hon'ble Shri Sanjay K. Agrawal and
Hon'ble Shri Arvind Singh Chandel, JJ.

Order On Board
(15-11-2021)

Sanjay K. Agrawal, J

1. Mr. Prafull N. Bharat, learned Senior Counsel appearing as *amicus curiae*, would submit that the basic purpose of this suo motu writ petition (PIL) was for prevention of the people of Chhattisgarh from the COVID-19 pandemic situation. He would further submit that the purpose for which this suo motu public interest litigation has been registered, has already been served.
2. It has also been brought to the notice of this Court that in compliance of the earlier orders dated 28-10-2021 and 9-11-2021, affidavit has been filed by the Principal Secretary, Health & Family Welfare, stating that the targeted population for vaccination is 1,96,51,000 and as on 9-11-2021, first dose of vaccination has been administered to 1,62,07,725 persons which is 82.47% of the targeted population. Similarly, as on 9-11-2021; 77,60,713 of second dose has been administered to the targeted population which comes to 39.49% of the total targeted population of the State of Chhattisgarh. The second dose of vaccination cannot be administered to a person unless and until the period as per the protocol is over.
3. Mr. Prafull N. Bharat, learned Senior Counsel appearing as *amicus curiae*, brought the attention of this Court to the affidavit dated 10-9-2021 filed by the Principal Secretary, Law & Legislative Affairs, in which it has been stated in paragraph 4 as under: -

“In future on receiving requisition of Chhattisgarh State Bar Council for release of funds from Mukhyamantri Swechanudan Fund for dependents of deceased advocates, efforts shall be made to take final decision within 90 days from the date of receipt of such requisition.”

4. Mr. Sunil Otwani, learned Additional Advocate General appearing for the State / respondents No.1 to 3, would reiterate that the affidavit given by the Principal Secretary, Law & Legislative Affairs will be honoured by the State Government.
5. Since the State has already given undertaking that on receiving requisition of Chhattisgarh State Bar Council for release of funds from Mukhyamantri Swechanudan Fund for dependents of deceased advocates, decision will be taken within 90 days from the date of receipt of such requisition, nothing further survives for consideration in this writ petition as the said undertaking will be honoured in its letter and spirit by the State Government.
6. With the aforesaid observation and direction, the writ petition (PIL) stands finally disposed of. No order as to cost(s).
7. Consequently, all the interlocutory applications also stand finally disposed of.
8. This Court appreciates the efforts and valuable assistance rendered by Mr. Prafull N. Bharat as well as other respective counsels appearing for the parties.

Sd/-
(Sanjay K. Agrawal)
Judge

Sd/-
(Arvind Singh Chandel)
Judge