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

Date of Decision: 31st May, 2021

+ W.P.(C) 5638/2021

NISHANT NAIN

..... Petitioner

Through: Ms. Garima Prashad Sr. Adv. with
Mr. Parth Yadav, adv.

versus

STATE OF N.C.T. OF DELHI & ANR.

..... Respondents

Through: Mr. Santosh Kumar Tripathi,
Standing Counsel with Mr. Aditya P. Khanna &
Mr. Shashank Tiwari, Advs. for R-1
Mr. Siddhant Nath, ASC for SDMC/R-2

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MS. JUSTICE JYOTI SINGH

JUDGMENT

D.N. PATEL, CHIEF JUSTICE(ORAL)

Proceedings have been conducted through video conferencing.

CM APPL.17575/2021 (exemptions from filing attested affidavit)

For the reasons stated in the application and in view of the present prevailing situation, the present application is allowed. However, the applicant is directed to file duly signed and affirmed affidavits within a period of one week from the date of resumption of regular functioning of the Court.

The application is disposed of.

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1. This writ petition has been preferred with the following prayers:

“1. To issue directions to the respondents to protect the right to health of the public at large by finishing the construction/furnishing work or any other work due at the SDMC Colony Hospitals at Kalkaji and Tilak Nagar and ensure the start of 250 bedded medical emergency services at both the hospitals at the earliest.

2. To issue directions to both the respondents to end rift of whatsoever kind between both of them and ensure that the Public Health of the State of NCT of Delhi is guaranteed and take proper measures as to control the ongoing COVID-19 pandemic and to function in tandem with one another with expert advice on the subject matter.

3. To take proper legal actions in the ambit of law or penalty or fine or cost whatever this Hon'ble court may deem fit against any party for the delay of over 10 years in the proper commencement of the medical emergency services at both the SDMC hospitals.

4. To pass any other order or further order which this Hon'ble Court may deem fit and proper in the light of the present facts and circumstances of the case.”

2. We have heard the learned counsels for both sides. Having looked into the facts and circumstances of the case, it is evident that the petitioner seeks a direction to the respondents to complete the remaining work at the two hospitals located at Tilak Nagar and Kalkaji, New Delhi. It is pointed out that the Tilak Nagar Hospital which is a 100 bedded hospital and Kalkaji Hospital which is a multi-speciality hospital with 150 beds are almost ready. In case the respondents take steps to expedite the work and the hospitals are made operational, at the earliest, services could be utilized by the nearby residents especially those residing in colonies of Tilak Nagar and Kalkaji,

New Delhi, in these times of Pandemic where there is utmost necessity of hospital facilities.

3. In view of the aforesaid submission, we hereby direct the concerned respondent authorities to give priority to expedite the work of completion of the aforesaid two hospitals so that they can be made operational at the earliest. Needless to state that the action will be in accordance with the policies of the Government applicable to the case.

4. With the aforesaid observation, this writ petition is hereby disposed of.

CHIEF JUSTICE

JYOTI SINGH, J

MAY 31, 2021

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