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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-8091-2024
Date of decision: 19.04.2024

Major (Retd.) Alka Sharma ...Petitioner

Versus

State of Haryana and others ...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Anurag Jain, Advocate for the petitioner.
Mr. Naveen Singh Panwar, DAG, Haryana.
Mr. Jitender K. Sehrawat, Advocate for respondent No.6.

VIKAS BAHL, J. (ORAL)

1. This is a Civil Writ Petition filed under Article 226/227 of the Constitution of India for the issuance of a writ in the nature of mandamus directing respondent No.2 to make suitable arrangements for medical treatment of senior citizen who is 87 years of age and is suffering from multiple ailments. Other prayers have also been made in the present writ petition.

2. On 10.04.2024, this Court had passed the following order:-

“Inter alia contends that only concern of the petitioner is the well being of her mother and at this stage, her immediate concern is that the mother of the petitioner who is 87 years of age and is terminally ill, should be provided a Medical Attendant around the clock. It is submitted that although, the proceedings before the authorities were continuing but since the term of the Maintenance Tribunal has elapsed and no effective hearing is taking place, thus, the present writ petition has been filed. It is further submitted that the petitioner is ready to meet the expenses

of the said Medical Attendant and in order to show her bona fide, is ready to deposit an amount of Rs.2 lacs with the Registry of this Court on or before 16.04.2024.

Notice of motion for 18.04.2024 on the said limited point.

Mr. Amandeep Joshi, DAG, Haryana, appears and accepts notice on behalf of respondent Nos.1 to 5.

Liberty is granted to the petitioner to serve respondent No.6 through dasti process as well.

As undertaken, the petitioner is directed to prepare a demand draft amounting to Rs.2 lacs in the name of Registrar General of this Court and deposit the same with the Registry of this Court on or before 16.04.2024.

To be taken up at 12:00 pm.”

3. Thereafter on 18.04.2024, this Court had passed the following order:-

“Learned counsel for the petitioner has submitted that he has not been able to get draft prepared and states that same would be prepared today.

Mr. Jitender K. Sehrawat, Advocate appears and accepts notice on behalf of respondent No.6 and prays for a short adjournment to get instructions in the matter.

Adjourned to 19.04.2024.

To be taken up at 12:00 pm.”

4. In pursuance of the abovesaid orders, learned counsel for the petitioner has handed over two drafts amounting to Rs.1 lac each prepared in the name of Registrar General of this Court in order to show the bona fide of the petitioner.

5. During the course of hearing, learned counsel for the petitioner as well as learned counsel for respondent No.6 have jointly submitted that the present writ petition be disposed of in the following terms:-

- (i) The petitioner would find a suitable Medical Attendant and the information regarding the said Attendant/Attendants would be sent to the office of Superintendent of Police, Hisar.
- (ii) The Medical Attendant/Attendants so appointed by the petitioner would be permitted to go to the house where the mother of the petitioner and respondent No.6 is residing and also to access the room of the mother of the petitioner and respondent No.6 in order to provide her with all medical needs.
- (iii) As agreed, the petitioner would be paying for the charges of the said Medical Attendant/Attendants directly.
- (iv) A CCTV camera would be installed in the room of the mother of the petitioner and respondent No.6 and access to the same would be provided to the petitioner.
- (v) Both the parties would cooperate with each other in trying to take best care of their mother.

6. In view of the above, the present Civil Writ Petition is disposed of in the abovesaid terms and the said terms of the present order would be implemented by both the parties as expeditiously as possible. Since, it is the petitioner who has agreed to pay for the medical expenses of mother, thus, two drafts prepared by the petitioner for an amount of Rs.2 lacs are being returned to the petitioner.

7. All the pending miscellaneous applications, if any, shall stand disposed of in view of the abovesaid order.

19.04.2024*Pawan***(VIKAS BAHL)
JUDGE****Whether speaking/reasoned:- Yes/No
Whether reportable:- Yes/No**