

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION

PUBLIC INTEREST LITIGATION NO. 71 OF 2021

Tanaji Appaso Ruikar.

...Petitioner.

Versus

The State of Maharashtra and Others.

...Respondents.

Mr. Omkar Wangikar (thr. V.C.) for the Petitioner.

Ms. T. J. Kapre, AGP for the Respondent-State.

Mr. Narendra Walawalkar, Senior Advocate along with Mr. Vikram N. Walawalkar for the Respondent No.7.

**Coram : M. S. Karnik &
Ajit B. Kadethankar, JJ.**

Date : November 20, 2025.

P. C. :

1. Learned Counsel for the Petitioner requested for some time. However, we called upon learned Counsel for the Petitioner to apprise this Court the issues raised in the present PIL.
2. With the assistance of Mr. Walawalkar, learned Senior Counsel appearing for the Respondent-Corporation, we have perused the memo of petition and annexures thereto.
3. This PIL seeks following substantive reliefs :

“(1) That this Hon’ble Court be pleased to issue a writ of mandamus or any other Writ/Order/direction in the nature thereof, directing the Respondent No.1 to 6 to appoint investigation committee against the Respondent No.7 to 13 and other concerned government authorities for irregularities in Apexcare Hospital of the Respondent No. 13.

(2) That this Hon'ble Court be pleased to issue a writ of mandamus or any other Writ/Order/direction in the nature thereof, directing the Respondent No.1 to 6 herein to hold a comprehensive enquiry against related to matter of demise of covid patients in hospital of the Respondent No. 13.

(3) That the Hon'ble Court be pleased to take appropriate strict legal action against the Respondent No. 7 to 13 and any other concerned government authorities.

(4) That the Hon'ble Court be pleased to apply rule vicarious liability against the Respondent No. 7 to 13."

4. Mr. Walawalkar, learned Senior Counsel appearing for the Respondent-Corporation submitted that notices were issued to the concerned hospital as well as concerned doctors and action has been initiated. He submitted that noticing that concerned hospital and doctors did not take corrective steps, complaints were made to the concerned police station as well, and the criminal machinery has been set into motion.

5. We find that in the Press Note dated 25th June 2021 released by the Medical Health Officer, Sangli-Miraj-Kupwad Municipal Corporation, copy of which is at page no.69 of petition, that action taken has been clearly indicated which includes registering criminal offences. Further, it has also been stated that license as a dedicated Covid hospital has also been cancelled. Thus, we find that for the issues raised in the present PIL, criminal law has already been set in motion. Mr.

Walawalkar, learned Senior Counsel appearing for the Respondent-Corporation submits that same shall obviously be taken to its logical end.

6. In this view of the matter, the purpose of filing present PIL no more survives. PIL is disposed of.

[Ajit B. Kadethankar, J.]

[M. S. Karnik, J.]