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- \* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
- + **W.P.(C) 5050/2021 & CM No. 15464/2021, CM No. 15465/2021  
CM No. 15466/2021**  
BHAVREEN KANDHARI ..... Petitioner
- Through: Mr. Krishnan Venugopal, Sr.Adv.,  
Mr. Manan Verma, Adv., Mr. Aditya  
N Prasad, Adv., Mr. Kaushik Mishra,  
Adv.
- versus
- GOVT OF NCT OF DELHI & ORS. ..... Respondent
- Through: Mr. Tushar Mehta, SGI, Mr. Chetan  
Sharma, ASG, Ms. Monika Arora,  
CGSC, Mr. Anil Soni, CGSC, Mr.  
Shriram Tiwary, Mr. Amit Gupta, Mr.  
Akshay Gadeock, Mr. Sahaj Garg,  
Mr. Vinay Yadav, Advocates.  
Mr. Rahul Mehra, Senior Advocate  
with Mr. Satyakam, ASC Mr. Gautam  
Narayan, ASC, Mr. Anuj Aggarwal,  
ASC and Mr. Chaitanya Gosain,  
Advocate for GNCTD.  
Mr. Rajshekhar Rao, Senior Advocate  
(Amicus Curiae) and Mr. Anandh  
Venkataramani, Ms. Mansi Sood, Ms.  
Sonal Sarda and Mr. Areeb  
Amanullah, Advocates.
- + **W.P.(C) 3031/2020 & C.M. No. 15227/2021, C.M. No. 15228/2021  
C.M. No. 15229/2021, C.M. No. 15358/2021, C.M. No. 15359/2021  
C.M. No. 15360/2021, C.M. No. 15361/2021, C.M. No. 15362/2021  
C.M. No. 15363/2021**
- RAKESH MALHOTRA ..... Petitioner

Through: Petitioner in person.

versus

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF  
INDIA AND ORS

..... Respondent

Through: Mr. Tushar Mehta, SGI, Mr. Chetan Sharma, ASG, Ms. Monika Arora, CGSC, Mr. Anil Soni, CGSC, Mr. Shriram Tiwary, Mr. Amit Gupta, Mr. Akshay Gadeock, Mr. Sahaj Garg, Mr. Vinay Yadav, Advocates.

Mr. Rahul Mehra, Senior Advocate with Mr. Satyakam, ASC Mr. Gautam Narayan, ASC, Mr. Anuj Aggarwal, ASC and Mr. Chaitanya Gosain, Advocate for GNCTD.

Ms. Malvika Trivedi, Sr. Advocate Mr. Tanmay Yadav, Ms. Eysha Marysha, Mr. Abhisree Sujanya Ms. Nihaarika Jauhari, Advocates.

Ms. Garima Prashad, Sr. Advocate with Mr. Abhinav Agrawal, Advocate.

Mr. Rajshekhar Rao, Senior Advocate (Amicus Curiae) and Mr. Anandh Venkataramani, Ms. Mansi Sood, Ms. Sonal Sarda and Mr. Areeb Amanullah, Advocates.

Mr. Ankur Mahindro & Ms Sanjoli Mehrotra, Advocates for intervener

+ **W.P.(C) 4970/2021 & CM APPL. 15223/2021, CM APPL. 15224/2021, CM APPL. 15225/2021, CM APPL. 15226/2021, CM APPL. 15249/2021, CM APPL. 15250/2021, CM APPL. 15251/2021 CM APPL. 15252/2021**

BALAJI MEDICAL AND RESEARCH CENTER..... Petitioner

Through: Mr. Mahesh Agarwal with Mr. Rishi Agrawala, Mr. Karan Luthra, Mr. Ankit Banati, Advs.

Mr. Ajay Kohli, Ms. Priyanka Ghorawat, Mr. Raghav Marwaha, Advocates for Delhi Heart and Lung Institute.

versus

UNION OF INDIA AND ORS

..... Respondents

Through: Mr. Tushar Mehta, SGI, Mr. Chetan Sharma, ASG, Ms. Monika Arora, CGSC, Mr. Anil Soni, CGSC, Mr. Shriram Tiwary, Mr. Amit Gupta, Mr. Akshay Gadeock, Mr. Sahaj Garg, Mr. Vinay Yadav, Advocates.

Mr. Rahul Mehra, Senior Advocate with Mr. Satyakam, ASC Mr. Gautam Narayan, ASC, Mr. Anuj Aggarwal, ASC and Mr. Chaitanya Gosain, Advocate for GNCTD.

Mr. Rajshekhar Rao, Senior Advocate (Amicus Curiae) and Mr. Anandh Venkataramani, Ms. Mansi Sood, Ms. Sonal Sarda and Mr. Areeb Amanullah, Advocates.

+ **W.P.(C) 4971/2021**  
GANESH DAS CHAWLA CHARITABLE TRUST (REGD)  
..... Petitioner  
Through: Ms. Prabhsahay Kaur, Advocate.

versus

UNION OF INDIA

..... Respondent

Through: Mr. Tushar Mehta, SGI, Mr. Chetan Sharma, ASG, Ms. Monika Arora, CGSC, Mr. Anil Soni, CGSC, Mr.

Shriram Tiwary, Mr. Amit Gupta, Mr. Akshay Gadeock, Mr. Sahaj Garg, Mr. Vinay Yadav, Advocates.

Mr. Rahul Mehra, Senior Advocate with Mr. Satyakam, ASC Mr. Gautam Narayan, ASC, Mr. Anuj Aggarwal, ASC and Mr. Chaitanya Gosain, Advocate for GNCTD.

Mr. Rajshekhar Rao, Senior Advocate (Amicus Curiae) and Mr. Anandh Venkataramani, Ms. Mansi Sood, Ms. Sonal Sarda and Mr. Areeb Amanullah, Advocates.

+ **W.P.(C) 4984/2021 & CM APPL. 15279/2021**

M/S. BRAM HEALTH CARE PRIVATE LIMITED..... Petitioner

Through: Mr. Priyadarshi Manish with Mrs. Anjali J. Manish, Advocates.

Mr. Ajay Kohli, Ms. Priyanka Ghorawat, Mr. Raghav Marwaha, Advocates for Delhi Heart and Lung Institute

versus

UNION OF INDIA & ANR.

..... Respondents

Through: Mr. Tushar Mehta, SGI, Mr. Chetan Sharma, ASG, Ms. Monika Arora, CGSC, Mr. Anil Soni, CGSC, Mr. Shriram Tiwary, Mr. Amit Gupta, Mr. Akshay Gadeock, Mr. Sahaj Garg, Mr. Vinay Yadav, Advocates.

Mr. Rahul Mehra, Senior Advocate with Mr. Satyakam, ASC Mr. Gautam Narayan, ASC, Mr. Anuj Aggarwal, ASC and Mr. Chaitanya Gosain, Advocate for GNCTD.

Mr. Rajshekhar Rao, Senior Advocate (Amicus Curiae) and Mr. Anandh Venkataramani, Ms. Mansi Sood, Ms.

Sonal Sarda and Mr. Areeb Amanullah, Advocates.

+ **W.P.(C) 4985/2021**  
BATRA HOSPITAL AND MEDICAL RESEARCH CENTRE ..... Petitioner  
Through: Mr. Sidharth Dave, Sr. Advocate with Ms. Varuna Bhandari with Ms. Bhakti Vardhan, Mr. Tushar Thareja, Advocates.

versus  
UNION OF INDIA & ORS. ..... Respondent  
Through: Mr. Tushar Mehta, SGI, Mr. Chetan Sharma, ASG, Ms. Monika Arora, CGSC, Mr. Anil Soni, CGSC, Mr. Shriram Tiwary, Mr. Amit Gupta, Mr. Akshay Gadeock, Mr. Sahaj Garg, Mr. Vinay Yadav, Advocates.  
Mr. Rahul Mehra, Senior Advocate with Mr. Satyakam, ASC Mr. Gautam Narayan, ASC, Mr. Anuj Aggarwal, ASC and Mr. Chaitanya Gosain, Advocate for GNCTD.  
Mr. Rajshekhar Rao, Senior Advocate (Amicus Curiae) and Mr. Anand Venkataramani, Ms. Mansi Sood, Ms. Sonal Sarda and Mr. Areeb Amanullah, Advocates.

+ **W.P.(C) 5001/2021**  
MAHARAJA AGRASEEN HOSPITAL CHARITABLE TRUST ..... Petitioner  
Through: Mr. Alok Kr. Aggarwal, Adv. Ms. Anushruti, Adv. Ms. Supreet Bimbra, Adv and Ms. Simran Arora, Advocate.

versus

UNION OF INDIA AND ORS ..... Respondent  
Through: Mr. Tushar Mehta, SGI, Mr. Chetan Sharma, ASG, Ms. Monika Arora, CGSC, Mr. Anil Soni, CGSC, Mr. Shriram Tiwary, Mr. Amit Gupta, Mr. Akshay Gadeock, Mr. Sahaj Garg, Mr. Vinay Yadav, Advocates.  
Mr. Rahul Mehra, Senior Advocate with Mr. Satyakam, ASC Mr. Gautam Narayan, ASC, Mr. Anuj Aggarwal, ASC and Mr. Chaitanya Gosain, Advocate for GNCTD.  
Mr. Rajshekhar Rao, Senior Advocate (Amicus Curiae) and Mr. Anandh Venkataramani, Ms. Mansi Sood, Ms. Sonal Sarda and Mr. Areeb Amanullah, Advocates.

+ **W.P.(C) 5002/2021**  
M/S BHAGAT CHANDRA HOSPITAL ..... Petitioner  
Through: Mr. Sachin Datta, Sr. Advocate with Mr. Dinesh Sharma, Ms. Ritika Jhurani, Ms. Jipsa Rawat, Advocates Mr. Ajay Kohli, Ms. Priyanka Ghorawat, Mr. Raghav Marwaha, Advocates for Delhi Heart and Lung Institute

versus  
UNION OF INDIA THROUGH SECRETARY & ANR... Respondent  
Through: Mr. Tushar Mehta, SGI, Mr. Chetan Sharma, ASG, Ms. Monika Arora, CGSC, Mr. Anil Soni, CGSC, Mr. Shriram Tiwary, Mr. Amit Gupta, Mr. Akshay Gadeock, Mr. Sahaj Garg, Mr. Vinay Yadav, Advocates.  
Mr. Rahul Mehra, Senior Advocate with Mr. Satyakam, ASC Mr. Gautam

Narayan, ASC, Mr. Anuj Aggarwal, ASC and Mr. Chaitanya Gosain, Advocate for GNCTD.

Mr. Rajshekhar Rao, Senior Advocate (Amicus Curiae) and Mr. Anandh Venkataramani, Ms. Mansi Sood, Ms. Sonal Sarda and Mr. Areeb Amanullah, Advocates.

+ **W.P.(C) 5003/2021**

**M/S JAIPUR GOLDEN HOSPITAL** ..... Petitioner

Through: Mr, Sachin Datta, Sr. Advocate with Mr. Dinesh Sharma, Ms. Ritika Jhurani, Ms. Jipsa Rawat, Advocates with Mr. D.K. Baluja, Medical Director, Jaipur Golden Hospital Mr. Ajay Kohli, Ms. Priyanka Ghorawat, Mr. Raghav Marwaha, Advocates for Delhi Heart and Lung Institute.

versus

**UNION OF INDIA THROUGH SECRETARY & ORS..** Respondent

Through: Mr. Tushar Mehta, SGI, Mr. Chetan Sharma, ASG, Ms. Monika Arora, CGSC, Mr. Anil Soni, CGSC, Mr. Shriram Tiwary, Mr. Amit Gupta, Mr. Akshay Gadeock, Mr. Sahaj Garg, Mr. Vinay Yadav, Advocates.

Mr. Rahul Mehra, Senior Advocate with Mr. Satyakam, ASC Mr. Gautam Narayan, ASC, Mr. Anuj Aggarwal, ASC and Mr. Chaitanya Gosain, Advocate for GNCTD.

Mr. Rajshekhar Rao, Senior Advocate (Amicus Curiae) and Mr. Anandh Venkataramani, Ms. Mansi Sood, Ms. Sonal Sarda and Mr. Areeb Amanullah, Advocates.

+ **W.P.(C) 5024/2021**  
SHANTI MUKAND HOSPITAL ..... Petitioner  
Through: Mr. Maninder Singh, Sr. Advocate,  
and Mr. Aarush Bhatia, Advocate.

versus  
**UNION OF INDIA & ORS** .. Respondent  
Through:  
Mr. Tushar Mehta, SGI, Mr. Chetan  
Sharma, ASG, Ms. Monika Arora,  
CGSC, Mr. Anil Soni, CGSC, Mr.  
Shriram Tiwary, Mr. Amit Gupta, Mr.  
Akshay Gadeock, Mr. Sahaj Garg,  
Mr. Vinay Yadav, Advocates.  
Mr. Rahul Mehra, Senior Advocate  
with Mr. Satyakam, ASC Mr. Gautam  
Narayan, ASC, Mr. Anuj Aggarwal,  
ASC and Mr. Chaitanya Gosain,  
Advocate for GNCTD.  
Mr. Sacchin Puri, Sr. Adv. with  
Mr. Sudhir Mishra, Mr. Ritwika  
Nanda, Ms. Petal Chandhok,  
Ms. Rupali Gupta, Mr. Raghav Sethi,  
Advs for Venkateshwar Hospital.  
Mr. Rajshekhar Rao, Senior Advocate  
(Amicus Curiae) and Mr. Anandh  
Venkataramani, Ms. Mansi Sood, Ms.  
Sonal Sarda and Mr. Areeb  
Amanullah, Advocates.  
Professor Sanjay Dhir, IIT Delhi and  
Mr. Iqbal Hasan, NIC.

**CORAM:**  
**HON'BLE MR. JUSTICE VIPIN SANGHI**  
**HON'BLE MS. JUSTICE REKHA PALLI**

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**ORDER**  
**28.04.2021**

1. We have heard learned counsels at substantial length touching upon several issues arising on account of the prevailing COVID 19 pandemic, particularly in relation to the NCT of Delhi. Looking to the complexity of the issues, we consider it appropriate to appoint an Amicus Curiae to assist us. We accordingly appoint Mr. Rajshekhar Rao, Senior Advocate as Amicus to assist us in the matter. He has acceded to our request to assist us in the matter. Let complete records of all the writ petitions be sent to him through email by the Court Master.

2. It had been suggested yesterday by Ms. Malvika Trivedi, Sr. Advocate that the creation of a portal to track the supply chain of medicines, such as Remedisivir, and the supply of Oxygen on real time basis could reduce the hoarding and black marketing of these products. To examine the same aspect, we had called upon the Director, IIT, as well as the NIC to send their representatives for the hearing today. Accordingly, professor Sanjay Dhir from IIT, Delhi is present. From the NIC, Mr. Iqbal Hassan is present. Mr. Iqbal Hassan states that a portal has already been developed for the aforesaid purpose. We are informed that today itself, a learned single Judge of this Court has passed orders in Writ Proceedings for the very same purpose in respect of medicines required for treatment of COVID-19, particularly Remdesivir. Let the said order be examined by the respondent GNCTD, Professor Dhir, and Mr. Iqbal Hassan, and the portal may be developed keeping in view the directions issued by the learned single Judge. The same be made operational as soon as possible thereafter.

3. One aspect that is been argued is in relation to the clearance of the cases by the Third Party Administrators (TPAs) who represent the insurance

companies. We are informed that at the time of discharge of the patient from the hospital – after the COVID treatment is over, the process of grant of No Objection Certificates(NOCs) by the TPAs is taking long time, anywhere between five to eight hours. This is resulting in delayed discharge of the patient and consequent, delay in admission of the next patient. As we are all aware, there is a long que of people who are waiting to get admitted to hospitals for proper treatment and such delays are bound to result in more suffering for the patients and their attendants. We, therefore, direct all the Insurance Companies and their TPAs to ensure that the time taken to grant the NOCs is reduced so that such like problems do not arrive. This order be communicated to all the TPAs, Insurance Companies, as also to IRDA by the GNCTD for compliance.

4. Mr.Krishnan Venugopal, Senior Advocate, who appears on behalf of the petitioner in *W.P.(C) 5050/2021* has made certain suggestions, which are worth consideration. Firstly, he points out that there is a large section of the medical doctors who, on account of the raging pandemic, are confined to their homes, and are not in the field to treat the COVID patients. Today, a large section of the population, who develop symptoms of COVID -19, or test positive for COVID-19 do not get immediate access to Doctors to seek their advice and start the treatment of the disease. This delayed start of treatment is leading to medical complications, for which the patient may need hospitalization. It also increases chances of loss of life. He suggests that the Government could invite such like Doctors to volunteer to render their advice/ consultation through video/ tele conferencing mode, by adopting the ICMR protocols, for treatment of COVID 19 patients. The Doctors, who offer their services voluntarily could then be assigned calls

through a centralized system. The patients could dial into the publicized number, and calls could be forwarded to the Doctors, who are available to render their services. This suggestion is worth serious consideration, and we direct both the GNCTD, and the Central Government to examine the same. Let a response in this regard be placed before us within two days.

5. Another suggestion made by Mr. Venugopal is that under Regulation 301 of Defence Services Regulation, Regulations for the Army, there is provision for rendering of services by the Armed Forces in aid of civil authorities in aid of maintenance of essential services. A similar Regulation exists in respect of the Air Force and the Navy. He submits that if a request is received from any State Government, with the approval of the Central Government, such services could be provided. He submits that the armed forces can set up field hospitals in terms of the said rules looking to the large number of COVID patients in the NCT of Delhi. Let the GNCTD examine this aspect and take appropriate steps.

6. Third suggestion made by Mr. Venugopal is with regard to the usage of ambulances. He submits that, presently, the ambulances are not being used only for the purpose of faring patients from their homes to hospitals. Many of them are engaged in transporting the dead bodies to the cremation grounds and burial grounds, and looking to the large numbers, they have to wait in que to complete their journey back. He has suggested that the GNCTD should consider usage of old DTC buses instead, for transporting the dead bodies in ambulances, so that the ambulances could be made available for faring the patients to the hospitals. Let this suggestion be also considered by the GNCTD and a response be filed within two days.

7. In terms of our order passed yesterday, the GNCTD has issued an

order dated 27.04.2021, which takes note of the fact that the Government of India has made allocation of 490 MT of liquid oxygen for the NCT of Delhi. It also take note of the fact that the actual quantity of oxygen being delivered to Delhi has varied from day to day, and the five suppliers namely Air Liquide (Panipat and Roorkee), Linde (Various plants), INOX, Goyal MG Gases, India Glycols Limited (Kashipur) were asked to state as to how much quantity they would be in possession to provide within the next three days. As per the input received from the said oxygen suppliers, the estimation is that for the next three days, 445 MT of oxygen would be received per day for use in the NCT of Delhi. On the basis of the said estimation, and while taking into account the standards for calculation for requirement of oxygen for ICU and non-ICU beds, and the hospital bed capacity declared by the hospitals on the NIC portal of the GNCTD as on 24.04.2021, the GNCTD has made the allocation of medical oxygen to hospitals in Delhi as contained in the chart Annexure A to the said order dated 27.04.2021. The first 48 hospitals enlisted in this order contain the names of the hospital who use liquid oxygen, since the said hospitals have the facility of receiving liquid oxygen and converting the same for use by the hospitals. However, hospitals enlisted from Serial No.49 to 148 are those hospitals and nursing homes, who are only using Oxygen gas cylinders. The order dated 27.04.2021, in Annexure A, provided that the said hospitals/nursing homes may get their cylinders refilled from one of the notified gas re-fillers as per the Annexure II. Annexure II, which lists re-fillers, contains fifteen entries. We may note that Vaibhav – which is one of the re-filler, has been mentioned at two places i.e at Serial Nos. 10 and 14 and, therefore, the number of re-fillers are actually fourteen, which includes Seth Air. We may mention that Seth Air

has its plant in Palwal, but it provides gas cylinders to hospitals in Delhi since a long time. Seth Air appears to be the biggest supplier of medical Oxygen cylinders to hospitals in NCT of Delhi.

8. However, subsequently the GNCTD has issued another order which provides that the named hospitals – who are at Serial Nos. 49 to 148 of the earlier order dated 27.04.2021, would be supplied Oxygen gas cylinders through re-filers mentioned as Re-filler 1 and Re-filler 2 in the tabulation marked as Annexure C. Mr. Mehra has explained that the primary obligation to supply the Oxygen Cylinders would be of the Re-filler 1, and the Re-filler 2 has been mentioned as a link re-filler, and has been named only as a back up.

9. Mr. Rao, the learned amicus points out that there is some typographical error in the said Annexure C. In respect of Serial No. 88 i.e Jeevan Anmol Hospital, Mayur Vihar, Phase I, the Re-filler 1 and the link Re-filler 2 are one and the same i.e. Seth Air. The same is the position in respect of Serial Nos. 110 and 118. Mr. Mehra states that the error has crept in since the order was prepared hurriedly. Let all such errors be examined, and appropriate amendments be made. We take the orders passed by the GNCTD on 27 and 28 April, 2021 on record, and direct that the same be implemented forthwith. All the suppliers of liquid medical Oxygen and Re-filers shall be bound to comply with the same.

10. We may also note that we had called the Re-filers to remain present for this hearing. Two of the re-filers, namely Multan Air Products represented by Mr. Archit, and Paramount Cryogases and Salasar Gases, represented by Mr. Naresh Gupta are present and we have interacted with them. They have assured us on their behalf, as well as on behalf of the

others, that they shall comply with the allocation orders issued by the GNCTD – both in letter and spirit. They have also made certain suggestions for consideration, so as to streamline the supply chain. One suggestion made by Mr. Naresh Gupta is that some of the Re-filers could be allocated for supply only to individuals, whereas others could be given the responsibility of supplying to the hospitals. Mr. Mehra has suggested that whatever suggestions are made by the Re-filers would be considered, and for that purpose a meeting has been fixed at 07.00 P.M. today between the Re-filers and the Principal Secretary, GNCTD Mr. Vikram Dev Dutt. All the re-filers be informed of the said meeting, and link be sent to them so that they are able to join the meeting, and their views are also examined. Based on the same, if any further amendments are required to be made, the same be made in the orders dated 27 and 28 April, 2021 issued by the GNCTD in respect of allocation of suppliers of medical oxygen to the hospitals and individuals. In the meantime, the GNCTD shall continue to supply Oxygen cylinders to individual consumers who require the same, as they have been doing till now.

11. The nation is facing an unprecedented crisis. It is at times like this, that we – the people, need to stand up to showcase our best qualities and virtues, which all of us have. To fight this scourge, we need to collectively conduct ourselves with sensitivity and empathy towards one and all – irrespective of whether the infected persons are our friends or relatives, or strangers. We have to shun selfishness, greed and indifference. We, therefore, appeal to the good sense of the people, including the sellers of necessary medicines and Oxygen, to not to resort to hoarding of, and black marketing of Oxygen cylinders, Oxygen flow metres or medicines, and to

make them available to the needy people. Hoarding of medicines or Oxygen cylinders/ flow metres leads to artificial scarcity, to an extent which may not be there. We came across news reports regarding the incident which took place at Apollo Hospital, where the hospital staff and doctors were assaulted by the relatives of one of the patients. Such like incidents are bound to demoralise the medical community, which is serving tirelessly to save the lives of the people without any rest or break whatsoever, at personal risk. We hope and expect that such like incidents would not be repeated. The authorities, including the Police should also be mindful of such like situation, and be vigilant to prevent any such untoward incidents.

12. Mr. Tushar Rao, Senior Advocate has made a suggestion that the *mohalla clinics* set up by the GNCTD could also be used for the purpose of providing immediate consultation and treatment to the patients, and also for the purpose of collection of samples for testing. The GNCTD should examine the said proposal and place the position before us within two days. The GNCTD shall also place before us the status report with regard to the number of RT-PCR tests conducted in the NCT of Delhi by the accredited labs in the last 7 days, along with the testing capacity of these accredited labs. The reasons for the fall in the numbers of tests conducted by them should also be disclosed in the report.

13. Mr. Mehra has submitted that there have been occasions when SOS calls have been received for supply of medical Oxygen by hospitals and nursing homes, and upon visit, it has been found that the urgency expressed was not genuine. We hope and expect, and appeal to all the hospitals and nursing homes, to not to raise such like false alarms as it puts unnecessary strain on the system which is already under tremendous stress. Such like

conduct and behaviour would also erode the faith of the Officers dealing with the situation at hand, and responding to SOS calls.

14. The allocation made by the Central Government for medical Oxygen for the NCT of Delhi is to the tune of 490 MT. Not for a single day, Delhi has been able to receive the entire quantity. The primary reason for this is that three of the plants from which supplies have to be sourced are situated at Durgapur, Rourkela and Kalinganagar which are at distances between 1200-1600 Kms. Mr. Mehra states, that on an average, about 50 MT has been received from the said three locations, as opposed to 100 MT tones allocated from the said three plants for the last few days. We request the learned Amicus to study the said allocation order issued by the Union of India, and if he has any suggestions, so as to optimise the tanker usage and minimise the turn around time, he may communicate the same to Mr. Tushar Mehta, the learned Solicitor General, since he has very graciously offered to have the same examined.

15. Independent of the said suggestions, we hope and expect that the Central Government to look at the logistics problem being faced in transportation of Oxygen from the said plants to NCT of Delhi. Response of the Government in this regard be placed before the Court on 30.04.2021.

16. List on 29.04.2021.

**VIPIN SANGHI, J**

**REKHA PALLI, J**

**APRIL 28, 2021**

*Sr/N.Khanna*