

Case :- P.I.L. CIVIL No. - 10413 of 2021

Petitioner :- Hari Pasad Gupta

Respondent :- State Of U.P.Thru.Addl.Chief. Secy. Medical Health & Others

Counsel for Petitioner :- Dr. V.K. Singh, Hari Ram Gupta

Counsel for Respondent :- C.S.C., Gaurav Mehrotra

Hon'ble Rajan Roy, J.

Hon'ble Saurabh Lavania, J.

Heard.

This petition has important issues pertaining to the provision of medical facilities and services to the Public at large as also the lawyers and their wards.

While we are conscious of the fact that similar issues have taken the attention of this Court at Allahabad in a P.I.L. bearing No. 574 of 2020, there are certain contentions of the learned counsel for the petitioner which needs to be taken note of, therefore, keeping the question open as to whether this petition should be entertained and proceeded or the petitioner should be asked to intervene in the proceedings pending at Allahabad, we take note of contentions as under:

It is submitted by learned counsel for the petitioner that in the first wave of Covid-19 Pandemic once a person was detected as Covid Positive, then the Government Functionaries used to provide the medicines etc. at the home, in the case of Home Isolation, free of costs, however, during this second wave which is still going on, this facility is not being provided. In fact, various counsels appearing in this case vouched for the veracity of the contention of the learned counsel for the petitioner in this regard. The petitioner who is a practising Advocate of this Court is also connected through video conferencing and he also asserts the same. He has also submitted that in the first wave when a situation arose on account of lock-down that Covid-19 infected person were not able to go outside from their house to purchase essential food items for their daily survival, Administration used to make arrangements for providing ration, but during this second wave this is not being done. He also submitted that in the first wave the Para-Medical Staff after completing their duty for the day were being lodged in Hotels or Guest Houses, as the case may be, so that they may not spread the disease, if they had to return to their homes, but during this second wave this arrangement has not been made consequent to which Para-Medical Staff goes back to his or her

home after completing the day's duty which has contributed to the spread of Covid-19 Pandemic. It is also stated that though the Government has announced for vaccination for the persons of the age-group of 18-44 years, but fact of the matter is that vaccines are not available for this age group.

Let Sri H.P. Sriastava, Addl. C.S.C. seek instructions in the matter on the aforesaid points.

Sri Gaurav Mehrotra, Advocate shall seek instructions from the competent level of the High Court regarding Prayer Nos. 7 and 8.

List/put up this case on **21.05.2021 as fresh.**

All pleas are open for consideration.

Order Date :- 18.5.2021

A.Nigam