

**IN THE HIGH COURT JUDICATURE AT ALLAHABAD**

**DATES AND EVENTS**

**IN**

**CIVIL MISC. HABEAS CORPUS No.                      of 2021**

**(UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA)**

**(DISTRICT: PRAYAGRAJ)**

**IN THE MATTER OF:**

RAHUL YADAV

...PETITIONERS

VERSUS

STATE OF UTTAR PRADESH & ORS.

. OPP PARTIES/RESPONDENTS

**LIST OF DATES& EVENTS**

04.05.2021	The Petitioner observed that his father Sh. Ram Lal Yadav (detenu) is suffering from high fever, thus he took to the T. B. Sapru Hospital, Allahabad Cantt.  Thereafter on the advise of T.B Sapru Hospital Staff the Petitioner got the Antigen Covid 19 test done on his father.  The Petitioner received the Covid 19 Positive Report of his on the same day and got his father admitted in the Hospital.
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05.05.2021	The Petitioner visited his father Sh. Ram Lal Yadav in the hospital and thereafter in abundant caution got his tested for Covid 19 with RT-PCR test.
06.05.2021	The Petitioner received his Covid 19 Positive report, thereafter the Petitioner got himself Home isolated, thus he could not have visited his father on that day.
07.05.2021	The Petitioner received a call from New Emergency ward of T. B. Sapru Hospital, from mobile No. , wherein the Petitioner was informed from the medical staff that the oxygen level of Petitioner's father Sh. Ram Lal Yadav is dropping fast and they are shifting him (Sh. Ram Lal Yadav) to Trauma Center.
08.05.2021	The Petitioner received a call from the Hospital with Mobile No. , wherein the Petitioner was informed that his father was on bed no. 3 and now he is not on his bed and is missing from some time. When I informed that I myself is home isolated and please figure out him the staff disconnected the call.

	<p>Thereafter the Petitioner tried to call at multiple mobile numbers available with him however all call fell on deaf ears and no one responded.</p>
09.05.2021	<p>The Petitioner again tried on Mobile No. _____ and after many attempts some staff member had picked up the phone, however they gave unsatisfactory answers to the Petitioner's queries. From that day onwards Petitioner elder brother is running from pillar to post and begging the medical reports of his father however his all efforts are going in vain.</p>
17.05.2021	<p>Thus, being dejected that Petitioner tendered a police complaint, but neither the police is giving the receiving of the complaint nor taking any action on his complaint.</p>
.05.2021:	<p>Hence the present Writ Petition.</p>

**(ANUJ SAXENA & PRAKASH SHARMA)**  
ADVOCATES & SOLICITORS

**IN THE HIGH COURT JUDICATURE AT ALLAHABAD**

**CRIMINAL MISC. WRIT PETITION No.            of 2021**

**(UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA)**

**(DISTRICT: ALL)**

**IN THE MATTER OF:**

1. Rahul Yadav

...PETITIONER

1. Sh. Ram Lal Yadav

...DETENU

VERSUS

1. State of U.P Through Principal Secretary

Lal Bahadur Shashtri Bhawan (Annex building)

Sarojini Nagar Marg, Lucknow

Uttar Pradesh, India – 226001.

2. Chief Medical Officer

Stanley Road, Prayagraj

Uttar Pradesh, India – 226002.

3. Chief Medical Superintendent

T. B. Sapru Hospital

Prayagraj

Uttar Pradesh, – 226002

4. District Magistrate,

Prayagraj,

Uttar Pradesh – 211002

5. Superintendent of Police,

9A/23 Beli Road, old katra

Prayagraj,

Uttar Pradesh -211002

...RESPONDENTS

**MOST RESPECTFULLY SHOWTH:**

1. That the Petitioner is filing the present Writ Petition before this Hon'ble Court under Article 226 of the Constitution of India praying inter alia for issuing Writ of Habeas Corpus to Respondents there by directing the release of the Petitioner father from T.B Sapru Hospital, Prayagraj.

2. The Petitioner herein is the resident of the

and on 04.05.2021 got

his father Sh. Ram Lal Yadav (detenu) admitted in T.B

Sapru Hospital. The detenu Sh. Ram Lal Yadav got

admitted on account of Covid 19 treatment, when on 04.05.2021 he was tested Positive for Covid 19.

3. The Petitioner after getting his father admitted in the T.B. Sapru Hospital on 04.05.2021 visited his father on 05.05.2021. Thereafter on 06.05.2021 the Petitioner tested positive for COVID 19 thus could not visited his father on 06.05.2021.
4. On 07.05.2021 the Petitioner received a call from New Emergency ward of T. B. Sapru Hospital, from mobile No. \_\_\_\_\_, wherein the Petitioner was informed from the medical staff that the oxygen level of Petitioner's father Sh. Ram Lal Yadav is dropping fast and they are shifting him (Sh. Ram Lal Yadav) to Trauma Center.
5. The Petitioner on 08.05.2021 received a call from the Hospital with Mobile No. \_\_\_\_\_, wherein the Petitioner was informed that his father was on bed no. 3 and now he is not on his bed and is missing from some time. When I informed that I myself is home isolated and please figure out him the staff disconnected the call.

6. Thereafter the Petitioner tried to call at multiple mobile numbers available with him however all call fell on deaf ears and no one responded.
7. The Petitioner on 09.05.2021 again tried on Mobile No. \_\_\_\_\_ and after many attempts some staff member had picked up the phone, however they gave unsatisfactory answers to the Petitioner's queries. From that day onwards Petitioner elder brother is running from pillar to post and begging the medical reports of his father however his all efforts are going in vain.
8. Thus, being dejected that Petitioner tendered a police complaint, but neither the police is giving the receiving of the complaint nor taking any action on his complaint.

**9. BRIEF FACTS OF THE CASE:**

1. The Petitioner herein is the resident of the Ambai bujurga, kachhar Kaushambi and on 04.05.2021 got his father Sh. Ram Lal Yadav (detenu) admitted in T.B Sapru Hospital. The detenu Sh. Ram Lal Yadav got admitted on account of Covid 19 treatment, when on 04.05.2021 he was tested Positive for Covid 19.

A copy of the COVID 19 Antigen test of Sh. Ram Lal Yadav dated 04.05.2021 is annexed herewith and marked as **ANNEXURE 1**.

2. The Petitioner after getting his father admitted in the T.B. Sapru Hospital on 04.05.2021 visited his father on 05.05.2021. Thereafter on 06.05.2021 the Petitioner tested positive for COVID 19 thus could not visited his father on 06.05.2021.

A copy of the COVID 19 RT PCR test of Petitioner Sh. Rahul Yadav dated 06.05.2021 is annexed herewith and marked as **ANNEXURE 2**.

3. On 07.05.2021 the Petitioner received a call from New Emergency ward of T. B. Sapru Hospital, from mobile No. \_\_\_\_\_, wherein the Petitioner was informed from the medical staff that the oxygen level of Petitioner's father Sh. Ram Lal Yadav is dropping fast and they are shifting him (Sh. Ram Lal Yadav) to Trauma Center.
4. The Petitioner on 08.05.2021 received a call from the Hospital with Mobile No. \_\_\_\_\_, wherein the Petitioner was informed that his father was on bed no. 3 and now he is not on his bed and is missing from



some time. When I informed that I myself is home isolated and please figure out him the staff disconnected the call.

5. Thereafter the Petitioner tried to call at multiple mobile numbers available with him however all call fell on deaf ears and no one responded.

6. The Petitioner on 09.05.2021 again tried on Mobile No. \_\_\_\_\_ and after many attempts some staff member had picked up the phone, however they gave unsatisfactory answers to the Petitioner's queries. From that day onwards Petitioner elder brother is running from pillar to post and begging the medical reports of his father however his all efforts are going in vain.

A copy of Aadhar Card of detenu Sh. Ram Lal Yadav is annexed herewith and marked as **ANNEXURE 3**

7. Thus, being dejected that Petitioner tendered a police complaint, but neither the police is giving the receiving of the complaint nor taking any action on his complaint.

A copy of Police Complaint dated \_\_\_\_\_ is annexed herewith and marked as **ANNEXURE 4.**

A. Thus, based on the facts and events transpired and having no efficacious and speedy remedy the

Petitioner herein beseeches the Hon'ble Court to issue a writ in the nature of Habeas Corpus directing the authorities/ Respondents to release detenu or his body to the Petitioner.

**G R O U N D S**

A. BECAUSE the Petitioner himself got his father Sh. Ram Lal Yadav (detenu) admitted in T.B. Sapru Hospital, Prayagraj on 04.05.2021.

B. BECAUSE the Petitioner himself visited his father Sh. Ram Lal Yadav (detenu) on 05.05.2021, whereby his medical condition was stable.

C. BECAUSE On 07.05.2021 the Petitioner received a call from New Emergency ward of T. B. Sapru Hospital, from mobile No. \_\_\_\_\_, wherein the Petitioner was informed from the medical staff that the oxygen level of Petitioner's father Sh. Ram Lal Yadav is dropping fast and they are shifting him (Sh. Ram Lal Yadav) to Trauma Center.

D. BECAUSE Petitioner on 09.05.2021 again tried on Mobile No. \_\_\_\_\_ and after many attempts some staff member had picked up the phone, however they gave unsatisfactory answers to the Petitioner's queries. From that day onwards Petitioner elder brother is running from pillar to post and begging the medical reports of his father however his all efforts are going in vain.

E. BECAUSE there is threat to the life of Petitioner's father Sh. Ram Lal Yadav (detenu).

F. BECAUSE despite many request the T.B Sapru Hospital is not providing the Medical details of Petitioner's father Sh. Ram Lal Yadav (detenu).

G. BECAUSE the Petitioner is running from pillar to post for his father (detenu) and his medical reports, however all his efforts are going in vain.

**P R A Y E R**

It is, therefore most respectfully Prayed that this Hon'ble Court may graciously be pleased to: -

- a) To issue a writ in the nature of Habeas Corpus directing the respondents to release the detenu Sh. Ram Lal Yadav or his body.
- b) To pass any such further order and/or direction for providing adequate compensation for the unlawful harassment of the Petitioner and his family members.
- c) To pass such other or further writ, order or direction as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and in the interest of justice, equity and fair play.

**(ANUJ SAXENA & PRAKASH SHARMA)**  
ADVOCATES & SOLICITORS