

ORDER

Heard.

2. These are bunch of writ petitions filed raising various issues relating to Covid-19 pandemic in which, this Court from time to time, has issued various directions to the State Government and the State authorities.

3. On 25.10.2021, when these cases were taken up, there was a general consensus among learned counsel for the parties that since the intensity of Covid-19 pandemic has reduced drastically, at present, the issues raised in most of the writ petitions are no more relevant for the Court to adjudicate. Learned *Amicus Curiae* was directed to go through all the petitions and to prepare a brief with respect to the issues which are still relevant in the present time to be adjudicated and to submit the same.

4. Today, learned *Amicus Curiae* has come with his submissions with respect to 14 matters.

In W.P.No.6435/2020

5. It is submitted that the Court has issued directions from time to time relating to Covid-19 pandemic. The Central Government as well as the State Government, including their functionaries, have reported substantial compliance from time to time. The issues raised and dealt with by this Court may not survive for consideration at this stage on account of the fact that the number of Covid-19 cases in Karnataka have steadily declined over the last few months.

6. Therefore, we dispose of this writ petition with liberty to the petitioners to file a fresh petition, if the situation so demands.

In W.P.No.7708/2020

7. This petition is filed seeking to ensure that the State Government and its functionaries enforce Covid Appropriate Behavior such as, wearing of masks and maintenance of social distancing at public places.

8. This Court has already issued several directions over a period of time. The State Government and the Bruhat Bengaluru Mahanagara Palike have reported substantial compliance as per the Court's directions. No further direction is required at this stage.

9. Hence, the writ petition stands disposed of in terms of the earlier direction issued by this Court.

IN W.P.No.8668/2020

10. Learned *Amicus Curiae* submits that the writ petition is filed seeking for a direction to the authorities to provide emergency treatment to Covid-19 and non-Covid-19 patients. Now, at present, sufficient medical facilities are available to provide proper treatment to Covid-19 patients as well as patients suffering from other diseases.

11. Since the situation of Covid-19 pandemic has improved, no direction is required to be issued at this stage. The writ petition is accordingly disposed of.

In W.P.No.8671/2020

12. This writ petition relates to the issue of health and safety of workers in medical institutions such as, the National Institute of Mental Health and Neuro Sciences (NIMHANS) and Bangalore Medical College and Research Institute (BMCRI). The State, NIMHANS and BMCRI have filed several compliance reports.

13. As such, the writ petition is disposed of with liberty to the petitioner to file a fresh petition, if need arises.

In W.P.No.9214/2020

14. In this petition, a direction was sought to the State Government to formulate a Standard Operating Procedure (SOP) for disposal of PPE kits and other accessories used by healthcare professionals and disposal of dead bodies at crematoriums/burial grounds.

15. The Court has already issued detailed directions from time to time. The State Government has filed SOP regulating the disposal of PPE kits and accessories used by healthcare

professionals as well as for cremation and burial of deceased persons who lost their lives due to Covid-19.

16. The issue involved in this writ petition does not survive for consideration at this stage.

17. Hence, the writ petition is disposed of with liberty to the petitioner to file a fresh petition, if need arises.

In W.P.No.10586/2020

18. In this writ petition, the petitioner is seeking a direction to the State Government to bring the State scheme dated 28.07.2020 formulated on par with the Central Insurance Scheme under Pradhan Mantri Garib Kalyan Yojana (PMGKY) entitling the legal heirs of the deceased who have lost their life due to Covid-19 to Rs.50 lakhs.

19. In this regard, we direct the State Government to consider the scheme formulated by it to bring on par with the PMGKY Scheme of the Central Government and also consider the issue for grant of compensation of Rs.50 lakhs to the legal heirs of the deceased health workers and frontline workers who lost their

lives due to Covid-19 and those who are not covered under the Central Government Scheme.

20. With these observations, the writ petition stands disposed of.

IN W.P.No.13395/2020

21. This petition raises various issues regarding treatment of Covid-19 patients in private hospitals including withdrawal of permission given to certain private hospitals to treat Covid-19 patients.

22. The State Government has filed its objections.

23. In view of the fact that at present, the situation of Covid-19 pandemic is under control in the State. The writ petition has lost its relevance. The writ petition is accordingly disposed of.

IN W.P.No.4957/2021

24. This petition relates to violations of Covid-19 regulations at a function at Belagavi and the action taken by the State against the violators.

25. It appears that since the State Government has initiated appropriate criminal action against the violators, this petition does not survive for consideration and it is accordingly disposed of.

IN W.P.No.8475/2021

26. This petition involves the issue of vaccination for disabled persons.

27. Learned Additional Government Advocate appearing for the State submits that mobile van facility has been created for the purpose of vaccination of disabled persons under the scheme 'Har Ghar Dastak'. The mobile vans are placed near the populated areas which go from home to home to enquire about vaccination and to provide the required facility for vaccination.

28. In view of the above, we do not feel it necessary to issue any further direction. The writ petition is accordingly disposed of.

IN W.P.No.8715/2021

29. Learned Additional Government Advocate submits that the writ petition relates to proper arrangements for cremation/burial of dead persons who have died due to Covid-19 infection.

30. Due to the improvement in the situation, no direction is required at this stage. Already the Court has issued directions in the past which have been complied with by the State Government. As such, the writ petition is disposed of.

IN W.P.No.8720/2021

31. Learned Additional Government Advocate submits that the matter relates to the use of police force during imposition of Section 144 of the Code of Criminal Procedure, 1973.

32. The submission of learned Additional Government Advocate is that it was during the lock down period that the police had to use certain force to disburse the people as they were not following the Covid-19 parameters. Now, at present, there is no such situation. As such, the writ petition is disposed of with the observation that "Covid-19 Appropriate Behaviour" shall be

followed, proper social distancing is maintained, masks shall be worn at public places and there shall not be any laxity in this regard.

IN W.P.No.8969/2021

33. This writ petition relates to challenge of vaccination policy by respondent No.1- The Union of India.

34. In this regard, it is to be noted that the Apex Court is seized of a similar issue in *Suo Motu W.P.(C) No.3/2021* wherein a detailed order was passed on 31.05.2021 covering several aspects of the vaccination policy of the Union of India. Considering the said direction, the Union Government has modified the vaccination policy which has been implemented across the Country since June, 2021.

35. In view of the above, we do not feel it necessary to keep the matter pending. The writ petition is accordingly disposed of.

IN W.P.No.9140/2021

36. This writ petition relates to vaccination of frontline workers.

37. Learned counsel for the petitioner submits that majority of the frontline workers have been vaccinated. As such, the writ petition has lost its relevance.

38. The writ petition is accordingly disposed of with liberty to the petitioner to approach the Court in case need arises.

IN W.P.No.15935/2021

39. In this petition, the petitioners have impugned the Government Order dated 16.07.2021 permitting only students, teaching and non-teaching/other staff who have received one dose of Covid-19 vaccine to attend the colleges.

40. Learned counsel for the petitioners submits that those students who have some medical issues shall not be compelled to take vaccine and be permitted to attend the colleges.

41. We are of the considered view that no students, teachers and other non-teaching staff who have not received

vaccination can be permitted to attend the colleges where the students gather in large numbers and risk their lives. As such, no direction can be issued to permit students, teachers and non-teaching staff who have not received at least one dose of Covid-19 vaccine to attend the colleges. Hence, the writ petition is dismissed.

42. The pending interlocutory applications in these petitions stand disposed of.

**Sd/-
CHIEF JUSTICE**

**Sd/-
JUDGE**

VM/KPS