



**HIGH COURT OF JUDICATURE FOR RAJASTHAN  
BENCH AT JAIPUR**

D.B. Civil Writ Petition No. 5651/2021

Vijay Pathak S/o Shri Chhail Bihari Sharma, Aged About 44  
Years, R/o Tirupati Nagar, Hindaun City, District Karauli.

----Petitioner

Versus

1. The State Of Rajasthan, Through Its Chief Secretary,  
Government Of Rajasthan, Secretariat, Jaipur.
2. Principal Secretary To The Government, Department Of  
Medical And Health, Government Of Rajasthan,  
Secretariat, Jaipur.
3. District Collector, Karauli.

----Respondents

For Petitioner(s) : Mr. Vijay Pathak present in person  
through V.C.

For Respondent(s) : Mr. M.S. Singhvi, AG assisted by  
Mr. Siddhant Jain

**HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE SATISH KUMAR SHARMA**

**Order**

**19/05/2021**

1. Heard petitioner in person and learned Advocate  
General.

2. This writ application has come to be filed *inter-alia*  
asserting that ventilator beds in Hindaun City hospital for patients  
do not have operational ventilators.

3. In this respect, learned Advocate General on  
instructions received submits that a total 34 ventilators are  
available in District Karauli, and from among them, 18 such  
ventilators have been made operational and 9 have been placed  
for use in Hindaun City, Hospital and 9 have been placed at Karauli



Hospital. In other words, he submits that out of the 34 ventilators, 18 ventilators are operational and for remaining 16 ventilators which are defective, notices have been sent to the manufacturers to immediately get the same operational at the earliest.

4. Learned Advocate General further submits that from amongst 18 operational ventilators both at Hindaun City and at Karauli, the requirement for treatment of Covid patients is being made and even 18 surplus ventilators are still available for more patients if such treatment is required. He further drew court's attention to the fact that the ventilators can only be utilized at place where anesthetists are available. Consequently, he asserts that at the present juncture, insofar as treatment of Covid patient is concerned, adequate ventilators necessary in Karauli District are available.

5. This Court had to deal with the issue of ventilators as a similar complaint had been made by the petitioners therein from District Sirohi in **D.B. Civil Writ Petition No.6967/2021 titled as Parikshit Kharor Vs. State of Rajasthan** where in response the State took all necessary steps to bring into operation the necessary amount of ventilators required for treatment of Covid patients.

6. We take this opportunity to direct the State Government to consider making a policy decision on the issue of maintenance of ventilators as well as life saving equipments available in all government hospitals in the State of Rajasthan. The objective is to try and ensure operational availability of all such life saving equipments at any time. In other words, we are of the considered view that the State should take a decision in this regard of ensuring 24 hours and 365 days functioning of all life



saving equipments in the hospitals. We hope and trust that at an appropriate time, the State will take a decision in this regard for the purpose, as recorded hereinabove.

7. With the aforesaid directions, the writ application is disposed of with liberty to the petitioner to approach this Court through a fresh application, if any, in connection with the Covid by filing appropriate application in the writ application kept pending

before this Court i.e. **Rajasthan High Court Bar Association Vs. State of Rajasthan- D.B. Civil Writ (PIL) Petition No.5127/2021.**

(SATISH KUMAR SHARMA),J

(INDRAJIT MAHANTY),CJ

N. Gandhi/JKP-20

