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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 5582/2021**

SANT SOHAM HOSPITAL Petitioner
Through **Ms. Ruchi Gour Narula and Mr.
Devashish Bhadauria, Advs.**

versus

**CHIEF DISTRICT MEDICAL OFFICER NORTH ZONE
DIRECTORATE OF HEALTH SERVICES GOVT OF NCT OF
DELHI & ORS.** Respondents
Through **Mr. Anuj Aggarwal, ASC, GNCTD
with Ms. Ayushi Bansal, Adv. for R-1
to 5**

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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28.05.2021

CM APPLs. 17355-56/2021

1. Exemptions allowed, subject to all just exceptions.
2. A notarized affidavit and Court fee be filed within two weeks of the Court resuming physical hearing.
3. The applications stand disposed of.

W.P.(C) 5582/2021 & CM APPL. 17354/2021

4. The present petition has been filed by a private hospital, which used to be a Government-authorized vaccination centre but is no longer vested with such authorisation. Essentially, the petitioner is aggrieved by the withdrawal of its status as an authorized vaccination centre and the deletion

of its name from the respondents' COVID-19 vaccination app named COWIN where the public registers for vaccination. Learned counsel for the petitioner submits that the respondent's entire case against the petitioner is that petitioner has utilized certain vaccines provided by the central government for use of persons who were more than 45 years of age, which were instead diverted for the use of patients who fell in the 18-45 year age group. She submits that this was proscribed by the respondents under a circular released on 23.04.2021 which was never provided to the petitioner. She, however, submits that these vaccines was administered only to those persons who had registered themselves for such vaccination before 30.04.2021, on the respondent's COWIN portal.

5. Issue notice. Mr. Anuj Aggarwal, ASC, GNCTD accepts notice on behalf of respondents. He submits that the contrary to the claims of the petitioner, it was not just the diversion of vaccines for the incorrect age group, there was an additional reason which led to the petitioner's de-listing from the COWIN app. He submits that as per the written complaints received by the respondents from persons who had gotten their vaccinations from the petitioner Hospital, it transpired that the petitioner has been illegally raking in profits by overcharging persons in the 18-45 age category and receiving Rs. 1250/dose from them, notwithstanding the fact that the same had been procured at the rate of Rs.150/dose from the Central Government. He, thus, submits that as a result the petitioner was guilty of having received a gross profit margin of almost Rs.1100/dose per person.

6. Keeping in view the fact that as of today, the need of the hour is to vaccinate as many people as possible, it has been put to Mr. Anuj Aggarwal, ASC, GNCTD whether the matter can be amicably resolved by restoring the

status of the petitioner Hospital as a registered vaccine centre and finding a solution to the allegations of overcharging levelled against it. He prays for some time to obtain instructions in this regard.

7. List on 01.06.2021.

MAY 28, 2021
ms

REKHA PALLI, J