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

+ W.P.(C)5119/2021

DWARKA COURT BAR ASSOCIATION Petitioner

Through: Mr. Y.P. Singh, Advocate.

versus

STATE (NCT OF DELHI) & ORS. Respondents

Through: Mr. Rahul Mehra, Senior Advocate with Mr. Satyakam, ASC and Mr.Chaitanya Gosain, Advocate for GNCTD.

Mr. Rajshekhar Rao, Senior Advocate (Amicus Curiae) with Mr. Anandh Venkataramani, Mr. Vinayak Mehrotra, Ms. Mansi Sood, Mr.Areeb Y. Amanullah and Mr.Karthik Sundar, Advocates.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

14.07.2021

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1. The GNCTD has filed a status report which has been perused. The status report in the form of an affidavit discloses that the project in respect of the Indira Gandhi Super Speciality Hospital has four components, namely, Regular Hospital Services, Super Specialities, Medical College and Mother & Child Facility. The affidavit also states that during the second wave of the Covid-19 pandemic, the said hospital was started and designated

as a dedicated Covid Hospital. It also states that the GNCTD has decided to continue the said hospital as a dedicated Covid Hospital and in terms of the timeline indicated, the said hospital will have infrastructure for a total of 1241 beds, including 169 ICU Beds for Covid management. The hospital will be self-sufficient in oxygen requirements with Manifold Gas Pipeline System; LMO Storage & Distribution Tanks and PSA Plants. The hospital infrastructure (beds etc.) and equipments like Ventilators, Bi PAP, HFNO, multipara Monitors, Oxygen Concentrators have been procured as part of preparation of Covid care. The affidavit also discloses that the following Super Speciality facilities have been envisaged in the said hospital as a part of Phase I:-

- *Cardiology*
- *Urology*
- *Nephrology and Dialysis Unit*
- *Oncology*
- *Neurology*
- *Nuclear Medicine*
- *Radiotherapy*
- *Neurosurgery*
- *Burn and Plastic*

- *Paediatric Surgery*

Mother and Child Health Services: Department of Obstetrics & Gynaecology and Paediatrics providing Maternal & Child Health Services are part of Phase I in the existing building. The bed allocation is as follows:

- *Labour Room – Four Delivery table;*
- *Department of Obstetrics & Gynaecology 120 Beds;*
- *Department of Paediatrics – 90 beds;*
- *Paediatric Intensive Care Unit – 21 beds and*
- *Neonatal Intensive Care Units – 30 beds.*

2. At the same time, the affidavit states that since the hospital has been designated as a Covid Hospital, these facilities have not been planned to be started as of now. As and when the hospital will be declared as non-Covid hospital, necessary arrangement to start the Super Speciality facility will be considered.

3. On this aspect, after Mr. Mehra has advanced his submissions and in view of the views expressed by us, Mr. Mehra, on instructions, seeks leave to withdraw the statement made in paragraph 6 of the affidavit/ status report. Consequently, merely because the said hospital has been declared as a Covid hospital, the setting up of the Super Specialities envisaged in Phase I of the project would not be postponed.

4. In our order dated 03.06.2021, we had directed the GNCTD to indicate the time within which Phase II of the project would also be implemented, namely, the setting up of the Mother & Child Health Block of 484 beds and Medical College with intake of 150 students at UG level. However, that has not been done and it is stated that it would be difficult to give firm timeline for Phase II.

5. We, therefore, direct the GNCTD to file a better affidavit –indicating the timeline, within which the super specialities enumerated hereinabove, would be set up since, in our view, the setting up of the super specialities would not be at cross purposes with the dedication of the said hospital as an exclusive Covid facility. In fact, even for treatment of Covid patients, it is essential that the said super specialities are available at the hospitals.

6. So far as Phase II of the project is concerned, the respondents should undertake the exercise of indicating the definite timeline within which the same would be set up. The affidavit be filed within two weeks.

7. List on 02.08.2021.

VIPIN SANGHI, J

JASMEET SINGH, J

JULY 14, 2021

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