

2022 LiveLaw (HP) 6

IN THE HIGH COURT OF HIMACHAL PRADESH
MOHAMMAD RAFIQ (CJ); JYOTSNA REWAL DUA, J.
CMP No. 544/2022 in CWP No.253/2022 07.03.2022
Neeraj Shashwat Vs. State of H.P. & Ors.

Present: Ms. Vandana Misra, Advocate, for the petitioner.

Mr. Ashok Sharma, Advocate General with Mr. Vikas Rathore, Additional Advocate General, for the respondents.

Learned counsel for the petitioner submits that despite order dated 07.01.2022, passed by this Court, directing respondent No.4-Deputy Commissioner Shimla, to inspect the Leprosy Home situated at Leprosy Colony Phagli, Tehsil and District Shimla, H.P. and to ensure necessary repair work within a period of four weeks, neither he has inspected the site personally nor the repair work has been carried out.

Learned Additional Advocate General submits that though belatedly, but on 04.03.2022 the District Welfare Officer has sent an estimate of Rs.40 lacs for carrying out the repair works to the Director, Empowerment of Scs, OBCs, Minorities and the Specially Aabled, H.P. Shimla-9. Soon after the sanction of the budget, the repair work shall be carried out. He, however, does not deny the fact that the Deputy Commissioner did not inspect the Leprosy Home but tried to explain the situation by contending that there was some communication gap and that the Deputy Commissioner did not timely receive the information.

Learned counsel for the petitioner has disputed this contention by contending that the order passed by this Court on 07.01.2022 was widely reported in all the local and leading newspapers. Therefore, the explanation given by learned Additional Advocate General that the Deputy Commissioner did not have the information of the order, should not be accepted.

It is really regrettable to find that the officers of the State are so insensitive towards the apathy for the people suffering with Leprosy staying in a dilapidated home, which is evident from the enclosed photographs. This only shows the lack of concern on the part of the executive to those staying in Leprosy Home most of whom are aged between 60 to 85 years as per the assertions made in the writ petition.

We, therefore, reiterate the aforesaid directions and require respondent Nos.2 to 5 to appear in person, on the next date of hearing, before this Court with the explanation as to why the compliance of the aforesaid order has not been made timely.

Matter to come up on 21.03.2022.

Copy of this order be supplied to learned Additional Advocate General for onwards communication and information.