

101 CRM-W-479-2021 in/and
208 CRWP-242-2021

Rishi

v.

State of Haryana and others

Present:- Mr. Rupinder Khosla, Senior Advocate as Amicus Curiae.

Mr. Ankur Mittal, Addl. AG, Haryana.

Case has been heard through video conferencing on account of COVID-19 Pandemic.

Status report by way of affidavit of Pankaj Yadav, IAS, Secretary to Government, Home Department, Haryana has been filed. Same is taken on record. Mr. Khosla submits that he has gone through the same. It, however, does not answer all the questions raised by this Court. Mr. Mittal learned Additional Advocate General, Haryana submits that the suggestion given by the amicus curiae have been incorporated in the latest instructions. Mr. Khosla points out that during the pendency of the petition, certain larger questions have also arisen. According to him, there is a complete chaos due to the situation arising out of spread of Covid-19. Government guidelines are not being followed in the region. Beds are not available to those who are seeking admission in the hospitals. Supply of oxygen is severely depleted. According to him, situation demands immediate attention of this Court. Mr. Khosla has also moved an application under Order 1 Rule 10 CPC read with Article 226 of the Constitution of India praying that State of Punjab as well as U.T., Chandigarh be impleaded as party to the present petition as spread of Covid-19 is equally grim in all three States. He has emphasized on the casual attitude of the general public even at a stage when spread of Covid-19 is reaching its peak. Public places are crowded and Government guidelines are not being followed. According

to him, situation to say least is alarming. Though Mr. Mittal submits that appropriate steps are being taken as submitted in the affidavit filed by Pankaj Yadav, Secretary, Home Department, Haryana, he does not dispute the fact that something more needs to be done to bring the situation under control. He has also apprised the Court that a State Level Monitoring Committee headed by Health Minister, Haryana has been constituted to look into various issues particularly timely supply of oxygen to the hospitals. According to him, daily requirement of oxygen as on date is 70/80 MT while the production in the State of Haryana is 270 MT. He submits that he shall file a status report on the next date of hearing.

Under these circumstances, CRM-W-479-2021 is allowed and State of Punjab as well Union Territory of Chandigarh are impleaded as respondents in the array of the parties. Amended memo of parties is taken on record.

Mr. Vikas Mohan Gupta, Addl. AG, Punjab accepts notice on behalf of the State of Punjab while Mr. Pankaj Jain, Senior Standing Counsel for UT, who is available on VC in some other case, accepts notice on behalf of the UT, Chandigarh. They pray for time to seek instructions.

To come up on 22.4.2021.

Registry to supply a copy of the paperbook to learned counsel representing the State of Punjab as well as U.T., Chandigarh.

(RAJAN GUPTA)
JUDGE

(KARAMJIT SINGH)
JUDGE

April 20, 2021
Paritosh Kumar