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

+ W.P.(C) 2604/2021

SUKHDEV SINGH

..... Petitioner

Through Mr. Abhimanyu Tewari & Mr.
Ashray Chopra, Advs

versus

UNION OF INDIA & ORS.

..... Respondent

Through Mr Chetan Sharma ASG with Mr.
Chiranjiv Kumar, SPC, Mr. Amit Gupta, Mr.
Vinay Yadav, Mr. Akshay Gadeock, Mr. Sahaj
Garg & Mr. R. Venkat Prabhat, Advs for R-1.

Ms. Anjana Gosain, Adv for R-4

Mr. Anirudh Bakhru & Mr. Ayush Puri, Advocates
for R-5.

Mr.Rishikesh Kumar, ASC with SI Ranveer Singh
for GNCTD.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

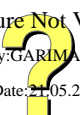
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21.05.2021

1. The present petition pertains to the unfortunate death of a 23-year old young man, who was admittedly taken from Indira Gandhi International Airport, Delhi to Safdarjung Hospital upon being suspected to be a COVID-19 positive patient after arriving in Delhi from Australia on the night of 18.03.2020.
2. The case of the petitioner is that as per the documents obtained from the respondent no.3/Safdarjung Hospital, the deceased, late Shri Tanveer Singh, was admitted to the hospital at 9:05 PM on 18.03.2020 and expired within seven minutes at 9:12 PM.

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Signed By: GARIMA MADAN
Location:
Signing Date: 21.05.2021
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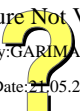


3. In compliance with the orders of this Court, the respondent no.3 Hospital and respondent no.2/Delhi Police have filed a status report claiming that there is no evidence of foul play in the case, and that all investigations, as mandated under law, were carried out in the case of late Shri Tanveer Singh's death as well.

4. Having perused the so-called status report submitted by the Safdarjung Hospital, I have no hesitation in holding that it does not deal at all with any of the issues raised in the present petition. In fact, the report filed by the Delhi Police also shows that by way of an investigation, they only appear to have recorded the statements of three security guards posted at the Hospital on that day, who were either stationed outside the COVID ward or outside the main building of the Hospital. In these circumstances, learned for the petitioner prays that an independent inquiry be ordered to investigate the circumstances leading up to the death of late Shri Tanveer Singh.

5. Before passing any further directions in the matter, it is deemed appropriate to direct the Medical Superintendent of the respondent no.3 Hospital to file a comprehensive report within a period of three weeks, specifically dealing with the following aspects:

- i. What was the exact time, as per the respondent Hospital, when late Shri Tanveer Singh was taken to the COVID isolation ward?
- ii. How many patients were in the COVID isolation ward when late Shri Tanveer Singh was taken there?
- iii. How many staff members were present in the COVID isolation ward to look after the patients?
- iv. Since the COVID isolation ward was purportedly situated on the 7th floor of the respondent no.3's building, whether any staff



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member had accompanied late Shri Tanveer Singh at the time he was being sent to the isolation ward?

6. The Medical Superintendent is expected to examine all other relevant factors that may emerge while dealing with the aforesaid questions.

7. At this point, it is pertinent to note the submission of respondent no.4/Airport Authority of India and respondent no.5/Delhi International Airport, who had been impleaded under the directions of this Court, that circular no. 33 of 2003 issued by BCAS requires the CCTV footage of the concerned Airport to be preserved only for a period of one month. As a result, they do not have any CCTV footage of Shri Tanveer Singh's detention and the events leading up to his subsequent transportation to the respondent no.3 Hospital, with them in their records. Learned counsel for the petitioner does not dispute the aforesaid position that the record preservation of CCTV footage of airports is mandated only for a period of one month and, therefore, does not object to the deletion of respondent nos. 4 and 5 from the array of parties. Accordingly, the respondent nos.4 and 5 are deleted from the array of parties. Amended memo of parties be filed within four weeks.

8. List on 07.07.2021.

REKHA PALLI, J

MAY 21, 2021

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