

Prajakta Vartak

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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

PUBLIC INTEREST LITIGATION (L.) NO.9228 OF 2021

Dhruti Kapadia & Anr.

...Petitioners

vs.

The Union of India & Ors.

...Respondents

.....

Ms.Dhruti Kapadia with Mr.Kunal Tiwari, Petitioners in person present.

Mr.Anil C.Singh, Additional Solicitor General with Mr.Advait Sethna i/b. Ms.Anusha P. Amin for Respondent no.1-UOI.

Mr.A.A. Kumbhakoni, Advocate General with Smt.Purnima Kantharia, Government Pleader with Ms.Geeta Shastri, Addl.G.P. for the State.

Mr.A.Y.Sakhare, Senior Advocate with Ms.K.H.Mastakar for MCGM.

**CORAM :- DIPANKAR DATTA, CJ &
G. S. KULKARNI, J.**

DATE :- AUGUST 05, 2021

PC :

1. Mr.Kumbhakoni, learned Advocate General for the State of Maharashtra has placed before us the "State Policy for Covid-19 Vaccination for Bedridden and Immobile Individuals". According to him, the drive to vaccinate bedridden and immobile individuals has been started by the Municipal

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Corporation of Greater Mumbai and till this date, no adverse incidents has been reported.

2. Appearing for the Municipal Corporation, Mr. Sakhare, learned senior counsel submits that 602 of the 4715 citizens, who registered for home vaccination, have been successfully vaccinated.

3. Ms.Kapadia, appearing in person, has brought to our notice certain areas where improvements can be made. According to her, it is not unlikely that private doctors could be reluctant to certify that an individual is fit for vaccination or that he/she may not suffer Adverse Effects Following Immunization (AEFI). She submits that as an alternate option, policy ought to permit the doctors of the Municipal Corporation to so certify upon examination of the concerned individual's physical condition. While expressing reservation about participation of NGOs in the vaccination drive, as reported by the media, she seeks a clarification from the Municipal Corporation about the role of the NGOs.

4. Insofar as the suggestions of Ms.Kapadia are concerned, we are of the view that the same may be forwarded to the

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learned advocate-on-record for the State whereupon the State may consider such suggestions; and if considered appropriate and acceptable, the State may proceed to implement the same.

5. The Municipal Corporation is directed to file a short affidavit indicating therein the number of bedridden and immobile individuals who have been vaccinated since the drive started and whether AEFI was felt by any individual. The Municipal Corporation shall also indicate the exact role of the NGOs in such drives in its affidavit. Let such affidavit be filed by August 11, 2021.

5. List this PIL petition on **August 12, 2021**.

(G. S. KULKARNI, J.)

(CHIEF JUSTICE)