

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF APRIL, 2020

PRESENT

THE HON'BLE MR. ABHAY S. OKA, CHIEF JUSTICE

AND

THE HON'BLE MRS. JUSTICE B.V.NAGARATHNA

WRIT PETITION NO.6678 OF 2020 (GM-RES) PIL

BETWEEN :

GIRISH BHARADWAJ
S/O DATTATREYA H N
AGED ABOUT 28 YEARS
OFFICE NO.11, ASTHITHVA,
RAILWAY PARALLEL ROAD,
NEHRU NAGAR, SHESHADRIPURAM,
BANGALORE – 560 025

...PETITIONER

(BY SRI MADHUKAR M DESHPANDE, ADVOCATE)

AND :

1 . STATE OF KARNATAKA
REPRESENTED BY ITS
PRINCIPAL SECRETARY
DEPARTMENT OF HEALTH AND
FAMILY WELFARE
VIDHANA SOUDHA
BENGALURU – 560 001

2 . GOVERNMENT OF NCT OF DELHI
REPRESENTED BY ITS CHIEF SECRETARY
HOME DEPARTMENT, 5TH LEVEL, C-WING,
DELHI SECRETARIAT I. P. ESTATE,
NEW DELHI
PHONE NO.011-23392042
FAX NO.23392622
pshome@nic.in

... RESPONDENTS

(SRI M.DHYAN CHINNAPPA, ADDITIONAL ADVOCATE GENERAL
AND SRI VIKRAM HUILGOL, ADDITIONAL GOVERNMENT
ADVOCATE FOR RESPONDENT NO.1

SRI.M.B.NARGUND, ADDITIONAL SOLICITOR GENERAL ALONG WITH SRI.M.N.KUMAR, CGC FOR RESPONDENT NO.2)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA, PRAYING TO DIRECT THE RESPONDENT NO.2 TO PROVIDE COMPLETE INFORMATION TO THE RESPONDENT NO.1 AND NATIONAL EXECUTIVE COMMITTEE CONSTITUTED UNDER THE PROVISIONS OF THE DISASTER MANAGEMENT ACT, 2005 RELATING TO FOREIGN NATIONALS AS WELL AS INDIVIDUALS OF STATE OF KARNATAKA, WHO ATTENDED NIZAMUDDIN GATHERING AND DISBURSED FROM THE SAID GATHERING AND ETC.

THIS PETITION COMING ON FOR ORDERS THIS DAY, **CHIEF JUSTICE** MADE THE FOLLOWING:

ORDER

We have heard the learned counsel appearing for the petitioner.

2. When we invited the attention of the learned counsel appearing for the petitioner to the first paragraph of the written submissions filed by the State Government on 9th April 2020, the learned counsel appearing for the petitioner stated that in view of the steps taken by the State Government as set out in the said written submissions, the petitioner is not pressing any prayers, except the prayer clause (c) regarding furnishing information to the general public.

3. The learned counsel appearing for the petitioner also invited our attention to the fact that for considering the prayer

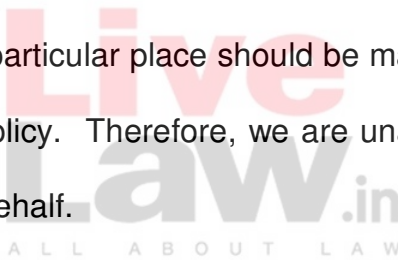
for remand, the accused are being personally produced before the concerned judicial officers at their home offices in the National Games Village at Bengaluru. He submitted that the directions may be issued to conduct the remand proceedings by video conferencing hearing. This suggestion deserves to be considered. Therefore, we direct the Registrar General to look into the matter and after seeking administrative approval, issue necessary directions to the concerned Courts. We may note here that yesterday in one case, more than 50 accused were produced for seeking remand before a learned Metropolitan Magistrate at Bengaluru *via* video conferencing.

4. Coming to the written submissions filed by the State Government on 9th April 2020, we find that the State Government has taken steps to trace the Foreign and Indian nationals who attended the religious ceremony at Nizamuddin in Delhi and further steps have been taken to quarantine them. The order of 13th April 2020 of this Court, records that 808 persons who attended the event in Nizamuddin have been identified and quarantined in the State.

5. The learned Additional Solicitor General of India pointed out that on 16th April 2020, a memo has been filed placing on record a list furnished on behalf of the Government of Delhi to

the Government of Karnataka containing data of the Foreign and Indian nationals who attended the Nizamuddin gathering.

6. As regards the prayer for furnishing information to the general public, the State Government as well as the Central Government have been periodically releasing the figures of the number of persons tested positive, number of live cases, number of recovered cases and the number of deaths. The State Government or Central Government will have to take a decision on the question whether specific information as regards particular persons who have allegedly contacted corona virus at a particular place should be made public or not. It is a matter of policy. Therefore, we are unable to issue any directions in this behalf.



7. There is I.A.No.1/2020 filed by Smt.Geeta Mishra. Only reliance is placed on the guidelines issued by the World Health Organisation (for short 'WHO') on 19th March 2020 about the quarantine of the individuals in the context of containment of the corona virus disease. We are sure that while subjecting the persons to quarantine, the State Government and the Central Government are taking into consideration the guidelines laid down by WHO from time to time.

Accordingly, subject to what is observed above, the writ petition and the I.A. is disposed of.

**Sd/-
(ABHAY S. OKA)
CHIEF JUSTICE**

**Sd/-
(B.V.NAGARATHNA)
JUDGE**

AHB



CJ/BVNJ:
21.04.2020

ORDER

Live
IN
Law.

WRIT PETITION NO.6678 OF 2020 (GM-RES) PIL

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