

\$~1

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

+ **W.P.(C) 3031/2020**

RAKESH MALHOTRA

..... Petitioner

Through: Mr. Rakesh Malhotra present in person

versus

**GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
AND ORS**

....Respondents

Through: Mr. Satyakam, ASC for respondents No.1 and 2/GNCTD.
Mr. Anurag Ahluwalia, CGSC for respondent No.3/UOI.
Mr. Sanjeev Sharma, Advocate for the applicant.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

O R D E R

% **09.06.2020**

HEARD THROUGH VIDEO CONFERENCING.

C.M.No12107-12108/2020(Exemption)

Allowed, subject to all just exceptions.

C.M.No.12106/2020(direction) in W.P.(C) 3031/2020

1. The present application has been moved by a non-applicant in a petition filed by Mr. Rakesh Malhotra, Advocate in person that was disposed of by this Bench, vide order dated 04.05.2020.

2. The applicant seeks directions to the respondents No.1 and 2/Directorate of GNCTD to enlarge the number of laboratories that can undertake tests for COVID-19 and ramp up the testing process in respect of asymptomatic and symptomatic patients.

3. Mr. Anurag Ahluwalia, learned counsel appearing for respondent No.3/Union of India and Mr. Satyakam, learned ASG appearing for the

respondents No.1 and 2 state in unison that the aspect relating to testing of asymptomatic/ symptomatic patients is already pending consideration by DB-I in W.P.(C).3387/2020 entitled *Renu Goswami v. State of NCT of Delhi*. We, therefore, do not propose to examine the said relief.

4. The second relief prayed for is for directing the respondents to make arrangement of proper treatment for COVID/non-COVID patients in hospitals. Mr. Rakesh Malhotra, the petitioner in person, supports the application and submits that there have been several instances where non-COVID patients are required to undergo surgery and other emergent procedures in the hospitals and the concerned hospital requires the patients to undergo a Covid-19 test before the said procedure or surgery, but is unable to conduct the test as they are not permitted to do so by the State Government.

5. Thirdly, the applicant seeks directions to the respondents to publish the correct data on their websites, in terms of the order dated 04.05.2020 passed in the present petition. Lastly, it is submitted that the respondents and all the hospitals/Nursing homes who have been permitted to treat COVID-19 patients, must publish on their websites, the status of vacancy of beds on a daily basis so that patients are not made run from pillar to post.

6. Issue notice to the respondents No.1 and 2/GNCTD. Mr. Satyakam, learned ASC accepts notice. Reply to the application be filed within two days with an advance copy served on the remaining counsels, through email.

7. List on 11.06.2020.

HIMA KOHLI, J.

SUBRAMONIUM PRASAD, J.

JUNE 09, 2020/pst