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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 3604/2020**
ISHWAR @ MANJU Petitioner
Through: Mr.Yogesh Kumar, Adv.

versus

STATE (GOVT OF NCT OF DELHI) & ORS. Respondents
Through: Ms.Shobhana Takiar, ASC along with
Dr.Bansal.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER
% **24.06.2020**

This hearing has been held by video conferencing.

The petitioner has undergone the procedure of Pyoperitoneum with appendicular perforation on 30.11.2019 at the respondent no.2 hospital. The petitioner was called again on 27.03.2020 for further procedure/surgery to be conducted by the respondent no.2 hospital. However, due to the outbreak of Covid-19 virus, the petitioner could not be operated upon as the respondent no.2 hospital was declared as a Covid hospital. The petitioner was referred to the respondent no.3 hospital for the surgery. Even the respondent no.3 hospital could not carry out the procedure on the petitioner as the petitioner was suspected to be suffering from Covid-19 virus but was asymptomatic.

The learned counsel for the respondents submits that in the present case, the procedure to be carried out on the petitioner is elective in nature and in view of the present situation with outbreak of Covid-19 virus, it may in fact, be detrimental to the interest of the

petitioner to carry out the procedure.

On the other hand, the learned counsel for the petitioner submits that the petitioner is willing to undergo the risk involved in the procedure and also fears that any delay in the same may in fact cause further complications.

Having considered the submissions made it is directed that the respondents shall clearly state on affidavit if it is their stand that no elective procedure will and is being carried out on any patient due to the present outbreak of Covid-19 virus. If this is not the stand of the respondents, the respondent no.1 shall identify the hospital where the petitioner can undergo the procedure that is required. An affidavit in this regard shall be filed by the respondent no.1 by 29.06.2020.

List on 1st July, 2020.

NAVIN CHAWLA, J

JUNE 24, 2020
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