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IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(C) 2866/2002 CM Nos.7728/2007, 10077/2007, 15465/2008, 15718/2008, 16814/2008 & CM Nos.10021-22/2009.

SOCIAL JURIST

..... Petitioner

Through: Mr. Ashok Agarwal & Mr. Khagesh Jha,
Advs.

Versus

GOVT. OF N.C.T. OF DELHI & ORS

..... Respondent

Through: Mr. B.V. Niren with Mr. Utkarsh Sharma &
Mr. Prasouk Jain, Advs. for R-1&2.
Mr. Shanti Bhushan, Sr. Adv. with Ms.
Misha, Adv. for R-2.
Mr. S.K. Dubey & Mr. Neeraj Chaudhari,
Advs. for L&DO.
Ms. Renuka Arora, Adv. for DDA.
Ms. S.K. Dubey & Mr. Vivek Pipersenia,
Advs.
Ms. Zubeda Begum & Ms. Sana Ansari,
Advs. for GNCTD.
Mr. Lalit Bhasin with Mr. Ratna Dhingra,
Ms. Shreya S. Dabas & Mr. Bhavna Dhami,
Advs.

AND

+ W.P.(C) 7778/2008 & CM No.15017/2008

SIR GANGA RAM TRUST SOCIETY

..... Petitioner

Through: Mr. Kailash Vasdev, Sr. Adv. with Mr.
Sidhant Goel, Advs.

Versus

UOI & ORS

..... Respondents

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been compared and the digital data is as per
the physical file and no page is missing.

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Through: Mr. B.V. Niren with Mr. Utkarsh Sharma &
Mr. Prasouk Jain, Advs. for R-1&2.
Ms. Shobhana Takiar, Adv. for R-3.

AND

+ W.P.(C) 8956/2008

MOOLCHAND KHAIRATI RAM TRUST Petitioner

Through: Mr. Shanti Bhushan, Sr. Adv. with Ms.
Misha, Adv.

Versus

UNION OF INDIA AND ANR. Respondents

Through: Mr. Ravinder Agarwal & Mr. Amit Yadav,
Advs. for UOI.
Mr. Rajiv Nanda with Ms. S. Bari & Mr.
Brijesh Pandey, Advs. for R-2.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **30.04.2012**

1. Civil Writ petition No.2866/2002 was filed by Social Jurist as Public Interest Litigation in which judgment dated 22.03.2007 was passed. Various directions were given vide the said judgment, which included a direction to certain hospitals to provide medical facilities / treatment to 25% OPD patients and, 10% to IPD patients completely free of charge in all respects. Thereafter order dated 17.07.2007 was passed whereby direction was given to all hospitals which have

been granted land on concessional rates to abide by the order of free treatment till such time it is varied by any competent Court. Those hospitals in respect of which directions were given in the judgment dated 22.03.2007, filed Special Leave Petitions in the Supreme Court. However, Supreme Court has since dismissed these appeals.

2. Various applications are filed by different hospitals seeking clarification of the judgment and / or directions to the effect that the judgment does not apply to them. We may record that in the meantime, the respondent i.e. Land and Development Office, Ministry of Urban Development, Government of India has issued order dated 02.02.2012 as per which the Government has incorporated certain paragraphs in the Lease Deeds / Conveyance Deed executed with various hospitals incorporating the clause relating to providing treatment to 25% OPD patients and 10% to IPD patients. Challenging that order Mool Chand Khairati Ram Hospital has filed Writ Petition No.1478/2012. Learned counsel for Sir Ganga Ram Hospital also makes a statement that he has also filed the writ petition which may be listed in due course. Learned counsels for some other hospitals present in the Court also make statements to the same effect.

3. In view thereof, all the issues raised by way of applications in disposed off WP(C) 2866/2002 can be looked into in W.P.(C) No.1478/2012 as well as other

writ petitions which these hospitals are contemplating to file.

4. WP(C) No.7778/2008 and WP(C) No. 8956/2008 were filed prior to the order dated 2nd February, 2012 supra. Now that fresh writ petitions challenging the said order have been filed/are being filed, to avoid multiplicity, it is deemed expedient to dispose off these petitions also, with liberty to urge the same grounds in the new petitions filed/to be filed.

5. With these observations, all the pending applications in writ petition No.2866/2002 and WP(C) Nos. 7778/2008 and 8956/2008 are disposed of.

CM No.15454/2012 in W.P.(C) No.2866/2002

List on 6th August, 2012.

Dasti.


ACTING CHIEF JUSTICE


RAJIV SAHAI ENDLAW, J

APRIL 30, 2012

'gsr'