

**HIGH COURT OF JAMMU AND KASHMIR
AT SRINAGAR**

CJ Court

Case: WP (C)PIL No. 05 of 2021
(Through Virtual mode)

Naseem Qadri& Another ...Petitioner(s)/Appellant(s)

Through: Sh. Syed Musaib, Advocate

v/s

Union of India and others Respondent(s)

Through: Sh. T.M. Shamsi, ASGI for
respondent No. 1

Sh. D.C Raina, Advocate General
for respondent Nos. 2 to 4.

HON'BLE JUDGE
HON'BLE JUDGE



1. Heard by Sh. Syed Musaib, Advocate for the petitioners and Sh. T.M. Shamsi, ASGI for respondent No.1 and Sh. D.C. Raina, Advocate General for respondent Nos. 2 to 4.

2. This petition in Public Interest seeks a direction for the registration and the vaccination of the prisoners.

3. The argument is that though the prisoners also have a right of life which includes proper medication and protection against Covide-19 pandemic.

4. Sh. Raina submits that the government is conscious of its obligation and appropriate steps are being taken for the vaccination of all the citizens including under-trial as well as convicted prisoners. The prisoners are not

going to be left out from vaccination and they would be vaccinated on turn at an appropriate time.

5. A demand to the proper authority is a sine qua non for issuance of writ in the nature of mandamus. But we do not find that the petitioners have approached the appropriate authority so as to bring their concern to their notice for any appropriate action.

6. In view of the above facts and circumstances, we dispose of this writ petition with liberty to the petitioners to submit a comprehensive representation regarding the registration and vaccination of the prisoners to the Director General of Prisons, UT of J&K. In the event, any such representation is submitted, the Director General of Prisons, would consider it and take all possible immediate steps for the registration and vaccination of the prisoners or may bring the matter to the notice of the inmate of the jail remains un-vaccinated.

7. The writ petition is dismissed.



(RAJNESH OSWAL)
JUDGE

(PANKAJ MITHAL)
CHIEF JUSTICE

Jammu
30.04.2021
Tilak