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

+ W.P.(C) 2944/2021

COURT ON ITS OWN MOTION

..... Petitioner

versus

UNION OF INDIA AND ORS.

..... Respondents

Through:

Mr. Tushar Mehta, SGI, Mr. Chetan Sharma, ASG and Mr. Anil Soni, CGSC with Mr. Amit Gupta, Mr. Vinay Yadav, Mr. Akshay Gadeock, Mr. Sahaj Garg & Mr. R. Venkat Prabhat, Advocates for the respondent/ UOI.

Mr. Rahul Mehra, Standing Counsel for GNCTD with Mr. Chaitanya Gosain, Advocate.

Mr. Sanjoy Ghose & Ms. Urvi Mohan, Advocates for respondent/ GNCTD.

Mr. Mohit Mathur, Sr. Advocate and Mr. Sudhanshu Batra, Sr. Advocate with Mr. Abhijat, Mr. Jatan Singh, Mr. Mohit Gupta, Mr. Amit Saxena, Mr. B.S. Dhir, Ms. Kajal Chandra, Ms. Rupali Kapoor, Ms. Kanika Singh, Mr. Nikhil Mehta, Mr. Dhan Mohan, Mr. Harshit Jain, Mr. Naginder Benipal, Mr. Shaashwat Jindal and Mr. Arpit Kumar Singh, Advocates for DHCBA.

Mr. Hitesh Jain, Ms. Pooja Tidke, Ms. Malvika Kapila Kalra and Mr. Pranav Sarthi, Advocates for Serum Institute of India.

Mr. Neeraj Kishan Kaul, Sr. Advocate with Mr. Mahesh Agarwal, Mr. Rishi Agrawala, Mr. Ankit Banati and Mr. Akash Lamba, Advocates for Bharat Biotech International Ltd. (BBIL).

Mr. Ramesh Gupta, Sr. Advocate, Chairman BCD and Mr. Rakesh Khanna, Sr. Advocate with Mr. Ajayinder Sangwan, Secretary BCD, Mr. Vishnu Sharma, Co Chairman, Mr. Rakesh Sherawat, Advocate and Mr. Vishnu Sharma, Mr. Rakesh Malhotra, Advocates for Bar Council of Delhi (BCD).

Mr. Pradeep Kumar Rai, Senior Advocate and Vice-Chairman, Supreme Court Bar Association, with Mr. Kunal Rao, Advocate



CORAM:
HON'BLE MR. JUSTICE VIPIN SANGHI
HON'BLE MS. JUSTICE REKHA PALLI

ORDER
10.03.2021

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1. In compliance of our last order, Bharat Biotech International Limited, as well as the GNCT of Delhi, have filed their counter affidavits, which have come on record. We are informed that the Union of India and the Serum Institute of India have also filed their counter affidavits, however, the same are not on record. Mr. Ramesh Gupta, learned senior counsel states that the Bar Council of Delhi has filed its affidavit as well, which has also not come on record.
2. We direct the concerned counsels to bring their respective counter-affidavits on record. We also permit counsels who wish to obtain copies of these counter affidavits, to send an email communication to the Court Master with this request - who shall then respond to such email communications and provide copies thereof to the counsels.
3. The counter affidavit filed by the GNCT of Delhi places on record the report from the inspection that had been carried out of all the district court complexes in the GNCTD, to ascertain the existing medical facilities and assess the feasibility of setting up COVID-19 vaccination centres there, as per the directions given by this Court on 04.03.2021. Relying on this affidavit, it has been suggested by Mr. Rakesh Khanna, learned senior counsel that vaccinations and appropriate facilities for administering the same ought to be provided within those premises, at least insofar as the



eligible citizens are concerned, i.e., those person above the age of 60 years or, between the age group of 45-59 years, and have co-morbidities, so that eligible advocates, members of the court staff and Judges can be vaccinated. Mr. Rahul Mehra states that the GNCTD will be willing to render all cooperation in this regard.

4. In response, Mr. Tushar Mehta, the learned Solicitor General submits that this aspect shall be addressed at the administrative level, once the Secretary (Health) of the Central Government is approached in this regard by the concerned corresponding officials of the GNCTD.

5. We are further informed that a transfer petition has been moved by Bharat Biotech International Limited in the Supreme Court of India, and Mr. Kaul, learned senior counsel for Bharat Biotech states that the same is likely to come up before the Supreme Court on 15.03.2021, along with another petition being W.P.(C) 84/2021, wherein similar issues have been raised.

6. In these circumstances, the matter is adjourned to 19.03.2021.

VIPIN SANGHI, J

REKHA PALLI, J

MARCH 10, 2021

N.Khanna