

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/WRIT PETITION (PIL) NO. 118 of 2020
With
CIVIL APPLICATION (FOR JOINING PARTY) NO. 1 of 2020
In
R/WRIT PETITION (PIL) NO. 118 of 2020
With
CIVIL APPLICATION (FOR JOINING PARTY) NO. 2 of 2020
In
R/WRIT PETITION (PIL) NO. 118 of 2020
With
CIVIL APPLICATION (FOR JOINING PARTY) NO. 3 of 2022
In
R/WRIT PETITION (PIL) NO. 118 of 2020
With
CIVIL APPLICATION (FOR DIRECTION) NO. 5 of 2021
In
R/WRIT PETITION (PIL) NO. 118 of 2020
With
R/SPECIAL CIVIL APPLICATION NO. 14157 of 2020

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AMIT MANILAL PANCHAL

Versus

STATE OF GUJARAT

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Appearance:

PARTY IN PERSON(5000) for the Applicant(s) No. 1
MR KAMAL B. TRIVEDI, ADVOCATE GENERAL WITH
MS MANISHA LUVKUMAR SHAH, GOVERNMENT PLEADER WITH
MR VINAY BAIRAGRA, AGP for the Opponent(s) No. 1,2
MR DHAVAL G NANAVATI(2578) for the Opponent(s) No. 11,7
MR HS MUNSHAW(495) for the Opponent(s) No. 10,5,6,8,9
MR SATYAM Y CHHAYA(3242) for the Opponent(s) No. 3
NOTICE SERVED for the Opponent(s) No. 4

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CORAM:HONOURABLE THE CHIEF JUSTICE MR. JUSTICE
ARAVIND KUMAR
and
HONOURABLE MR. JUSTICE ASHUTOSH J. SHASTRI

Date : 22/07/2022

ORAL ORDER

(PER : HONOURABLE THE CHIEF JUSTICE MR. JUSTICE
ARAVIND KUMAR)

Mr. Amit M. Panchal, party appearing in person would submit that in view of the report dated 20.7.2022 (filed in Civil Application No.2 of 2022) filed by the Chief Fire Officer, Ahmedabad Fire and Emergency Services, Ahmedabad Municipal Corporation, respondent No.4 herein, he would not press Civil Application No.3 of 2022. Placing his submission on record, Civil Application No.3 of 2022 is dismissed as not pressed.

It is reported by Mr. Amit M. Panchal and as stated by the learned Advocate General that on account of the orders passed by this Court way back on 15.12.2020, human rights as understood in the civilised societies and recognised in the international domain through terms of international conventions, which bind different nations, it is the fundamental requirement that the right to health is given top priority and any need for medical help is immediately extended to any human being even if he is not a citizen which is mandate of Article 21 of the Constitution of India.

We hope that such unfortunate incidents or events would not recur place in future and eminent and well-respected people

like Doctors by keeping away from their primary and fundamental duty to serve would not auger well for the society and we hope that by intervention of the State and its instrumentalities the issue would be resolved in accordance with law. It is needless to state that Doctors would also address the issue in a re-conciliatory manner in the larger interest of the suffering public and answer their oath which they have taken while they entered the profession of doctor, which we do not visualise not being adhered to. We hope and trust that situation will take good shape and learned Advocate General would also be able to place the response as to the outcome of such exercise being undertaken by the State and its instrumentalities.

List this matter on 1.09.2022.

(ARAVIND KUMAR,CJ)

(ASHUTOSH J. SHASTRI, J)

Bharat