

Court on its own motion versus State of H.P. and others
CWPIL No.77 of 2024

17.12.2024. Present: Ms. Aashima Premy, Advocate as Legal Aid Counsel for the petitioner.

Mr.Rakesh Dhaulta & Mr. Pranay Partap Singh, Additional Advocates General, Mr. Sidharth Jalta and Ms. Priyanka Chauhan, Deputy Advocates General for the respondents-State.

Reply on behalf of respondent No.3 is stated to have been filed, however, the same is not on record. A copy of the reply has been handed over to us for our perusal.

2. A perusal of the reply goes to indicate a deplorable state of affairs where different agencies of the State Government are not ready to even look eye to eye and there is a lack of co-ordination amongst different agencies of the State Government. This is clearly evident from paras No. 4 & 5 of the reply, which read as under:-

4. That it is submitted that as per further information, due to deficiencies, the Trauma Centre could not be handed over to the Health Department till date. The H.P.P.W.D Authorities at Rampur had been requested by the Health Authorities by the Medical Superintendent MGMSC, Khaneri, to remove the deficiencies, but the same have not been removed till date. The copies of correspondence made in this regard by the Medical Superintendent MGMSC, Khaneri with the H.P.P.W.D Authorities on 09.02.2024, 23.03.2024, 18.09.2024 and 26.09.2024 are collectively placed on record alongwith their typed versions as Annexure R-1, R-1/T (colly) for kind perusal of the Hon'ble Court.

5. That it is submitted that the lifts have also not been installed at Trauma Centre till date. Further, the H.P.P.W.D Authorities have also been requested by the Medical Superintendent MGMSC, Khaneri vide letter dated 21.10.2024 to submit the utilization certificate and latest physical status of the Trauma Centre, but the same is still awaited, copy of the above letter dated 21.10.2024 alongwith typed version is placed on record as Annexure R-2, R-2/T, for kind perusal of the Hon'ble Court.

3. This court has repeatedly shown its concern in matters relating to the State where different agencies and organs of the State instead of working in tandem with each other have only been showing their "institutional supremacy," which is not healthy for the State especially in the instant case whereby the general public is being deprived of the services of Trauma Care Centre, though it had already been constructed nine months back. To say the least, this unhealthy practise, does not auger well with the courts.

4. In the given facts and circumstances, we deem it appropriate to implead Himachal Pradesh Public Works Department through its Engineer-in-Chief as party respondent. Ordered accordingly.

5. Notice to the newly added respondent. Ms.Priyanka Chauhan, learned Deputy Advocate General appears and waives service of notice on behalf of the

aforesaid respondent. She prays for and is granted two days time to obtain instructions.

6. List on 20.12.2024.

7. A copy of this order be sent to the Chief Secretary to the Government of Himachal Pradesh for issuing necessary instructions with respect to para- 3 of this order.

(Tarlok Singh Chauhan)
Acting Chief Justice

December 17, 2024.
(yogesh/pankaj)

(Satyen Vaidya)
Judge