

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

WRIT PETITION (CIVIL) NO.78 OF 2012

BHOPAL MEMORIAL HOSP.NURSES ASSN.& ANR Petitioner(s)

VERSUS

UNION OF INDIA & ORS. Respondent(s)

O R D E R

This writ petition has been filed seeking the reliefs including the implementation of the benefit of the recommendations of the Sixth Central Pay Commission to the Petitioners/members of Bhopal Memorial Hospital Nurses Association and for the staff of the Respondent No.2-Bhopal Memorial Hospital & Research Centre, and this Court has passed several order. We are informed by learned counsel for the parties that this relief has already been granted and this prayer has become infructuous and hence this prayer does not survive any more.

The prayer (b) and (c) read as under:

"(b)Pass an order, writ, including a writ in the nature of mandamus or any other appropriate writ directing an independent agency/commission to make an assessment on the 25 years of working of the rehabilitation scheme of the Bhopal gas tragedy victims focusing on whether the rehabilitation scheme achieved its purpose. If not take immediate corrective steps.

(c) Pass an order, writ including a writ in the nature of mandamus or any other appropriate writ directing any independent investigation agency/commission to look into the present practice of permitting private patients along with gas tragedy victim in the hospitals made for the victims and to enquire whether the said practice seriously prejudiced the rights of the Bhopal gas victims, based on the record available with the respondent Hospital; and"

So far as prayer (b) and (c) are concerned, it is open to the petitioners or any other person concerned, if he/she so feels aggrieved, may approach the High Court seeking appropriate relief as we are informed that a Public Interest Litigation is still pending before the Madhya Pradesh High Court at Jabalpur. The parties may move an I.A. in the said case or move a fresh petition.

The writ petition is disposed of accordingly.

.....J.

