



2024:CGHC:42093-DB

**NAFR**

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**WPPIL No. 80 of 2024**

In The Matter Of Suo Moto Public Interest Litigation Regarding News Item Namely Tadapate Bete Ko Dekh Pita Ne Ki Ilaj Ki Fariyad, Doctor Ne Bina Ilaj Ke Bhej Diya Cims Published In Daily News Paper Haribhoomi, Bilaspur Edition, Dated 1st October, 2024

**... Petitioner**

**versus**

**1 - State Of Chhattisgarh Through Chief Secretary, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, Chhattisgarh.**

**2 - State Of Chhattisgarh Through Additional Chief Secretary, Health And Family Welfare Department, Mahanadi Bhawan, Atal Nagar, Nava Raipur, Chhattisgarh**

**3 - Director Health Services, Indravati Bhawan, Atal Nagar, Nava Raipur Chhattisgarh**

**4 - Chief Medical And Health Officer District Hospital Bilaspur, District Bilaspur Chhattisgarh**

**5 - Civil Surgeon District Hospital, Bilaspur Chhattisgarh**

6 - Commissioner Bilaspur, Division Bilaspur, Chhattisgarh

7 - The Collector Bilaspur, District Bilaspur Chhattisgarh

... Respondents

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For Petitioner : This is an office reference.  
For Respondent : Shri Shashank Thakur, Deputy Advocate  
General

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**Hon'ble Shri Ramesh Sinha, Chief Justice and  
Hon'ble Shri Bibhu Datta Guru, Judge**

**Order on Board**

**Per Ramesh Sinha, (Chief Justice)**

**24.10.2024**

1. Heard.
2. This suo moto public interest litigation has been registered on the basis of news item published in the Haribhoomi Newspaper, Bilaspur, dated 01.10.2024 with a heading " "तड़पते बेटे को देख पिता ने की इलाज की फरियाद, डॉक्टर ने बिना इलाज के भेज दिया सिम्स" ".
3. Vide order dated 04.10.2024 the Chief Medical Officer, Bilaspur Secretary, State of Chhattisgarh was directed to file his personal affidavit with respect to the aforesaid news report.
4. An affidavit has been filed by the Civil Surgeon, District Hospital Bilaspur in compliance of Court's order dated 04.10.2024 which reads as under:-

*"1. That, the present affidavit is filed in compliance of the*

*Hon'ble Court order date 04.10.2024.*

*2. That, the present Suo Moto Public Interest Litigation has been registered by the Hon'ble Court on its own motion on the basis of the News Item published in Haribhoomi, Bilaspur addition Tuesday dated 1st October, 2024 titled as " तडपते बेटे को देख पिता ने की इलाज की फरियाद, डॉक्टर ने बिना इलाज के भेज दिया सिम्स ". The PIL was listed on 04.10.2024", wherein the Hon'ble Court was pleased to direct the respondent's to file an affidavit with respect to the incident report in the Newspaper.*

*3. That, the deponent most respectfully submits that he has highest regards up for the lawful authority of the Hon'ble Court and is always a duty bound to obey the orders and directions passed by the Hon'ble Court.*

*4. That, on behalf of the deponent it is most respectfully submitted that in the intervening night of 30.09.2024 and 01.10.2024 at about 12:52 AM the injured patient namely Jagmit Singh, aged about 20 years was brought to the casualty department of the District Hospital by some persons. The patient was timely attended by the Dr. Aniket Kaushik, who was working as casualty Medical Officer and who after examining him provided him the primary treatment and asked him to get the dressing and further advise was given for getting the patient admitted for further treatment. It is submitted that the entire incident has been recorded in the CCTV Camera installed in the Hospital and from the CCTV recordings it is clear that the patient was brought out of the Doctor's cabin at 12:59 AM by the persons who were accompanying him.*

5. That, the deponent most respectfully submits that at the same time apart from this patient there were three more patients in the casualty out of which two persons had sustained Knife injury and the third persons complained of severe Chest pain. It is submitted that the ECG of the patient suffering from Chest Pain was being carried in the Doctor's chamber's and the other two patient's who were suffering from the stab wound were being admitted in the Hospital.

6. That, as stated in the preceding paragraph the patient namely Jagmit Singh was taken care by the Doctor on duty wherein the Doctor found that the petitioner was in alcoholic state and was semiconscious. A copy of the casualty OPD is annexed herewith as ANNEXURE R/1.

7. That, the deponent most respectfully submits that the persons who were accompanying the patient Jagmit Singh, insisted on taken him to the private hospital and on this the Doctor present on the duty informed them that he cannot release the patient as it is a case of casualty and further informed them that as per the protocol he can only refer the patient to a Government Hospital which is Higher Medical Center which is Chhattisgarh Institute of Medical Science, to which the attendant did not agree.

8. That, during this time the patient Jagmit Singh who was sitting in the wheelchair was not in a position to control his body and he was leaning front side or forward and on this his attendant's took him out of the wheelchair and made him sit on the floor and on this time some persons started video recording the event. It is submitted that during this time the parents of the

*patient reach the hospital and they also insisted on taking him to a private hospital and they were not agreeing to avail the ambulance facility available with the hospital administration and they further insisted on taking the patient in ambulance service provided by 108.*

*9. That, the deponent most respectfully submitted that the matter was promptly reported to the nearest Police Station by the hospital administration of the Doctor on duty. A copy of the MLC information sent to the police is annexed herewith as ANNEXURE R/2.*

*10. That, the deponent further most respectfully submits that the casualty OPD register is maintained in the hospital, wherein the details of all the patient brought in the casualty OPD is maintained, the patient Jagmit Singh was brought in the casualty on 30.09.2024. In the present case the patient Jagmit Singh names find place in the register at serial No. 11 along with the advise or treatment given to him. From the perusal of the relevant page of the register it is clear that the Doctor administered him the basic medicines and advised dressing. A copy of the relevant page of the casualty OPD register is annexed herewith ANNEXURE R/3. as*

*11. That, the deponent further most respectfully submits that there is no correctness in the News item published in the Newspaper and the correct events and the correct facts of the case have not been published. It is submitted that round the clock team of Doctor's as well as the paramedical staff and the other staff is available in the District Hospital and the deponent being the incharge of the District Hospital personally oversees*

*that no difficulty is caused to any patient or their attendants.*

*12. That, the submissions made hereinabove and the factual pleadings contained therein are true to my knowledge as derived from the official records and believed by me to be true.”*

5. From persual of the affidavit, it transpires that the victim was found to be in alcoholic condition and he was taken to the hospital, where he was also attended by the Emergency Doctor and first aid was provided, thereafter he was referred to CIMS for further management, but it is stated that the patient's relatives refused to admit and wanted to take the patient into a private hospital as is appearing from Annexure R/1 at page no. 6. It is stated that two other persons who are admitted in an emergent case of stab injury, after giving them first aid they were referred to the CIMS by Dr. Anil Gupta, copy of the same is annexed as Annexure R/2.

6. In view of the same matter is consigned to record.

Sd/-

**(Bibhu Datta Guru)**  
**Judge**

Sd/-

**(Ramesh Sinha)**  
**Chief Justice**