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

*Date of decision: 23<sup>rd</sup> October, 2019*

+ W.P.(C) 2468/2019

LEGAL FORUM FOR WOMEN EMPOWERMENT Petitioner

Through: Ms. Payal Bahl and Mr. Athar  
Alam, Advs.

versus

GOVERNMENT OF NCT OF DELHI ..... Respondent

Through: Mr. Sanjoy Ghose, ASC with Ms.  
Urvi Mohan, Adv.

**CORAM:**

**HON'BLE THE CHIEF JUSTICE**

**HON'BLE MR. JUSTICE C.HARI SHANKAR**

**ORDER**

% **23.10.2019**

**D.N. PATEL, CHIEF JUSTICE (ORAL)**

1. This so-called Public Interest Litigation (PIL) has been preferred with the following prayers:-

*“a) Writ, order or direction in nature of Mandamus or any other appropriate writ, order or directions to the respondent Particularly Directorate of Health Services to develop offline and online mechanism for the public complaint and grievance system against the malpractice by the Private Nursing Homes and hospitals in the National Capital Territory of Delhi;*

*b) Direction to the Directorate General of Health Services should conduct regular audits of the health services and the prices charged by the*

*Private Nursing Homes and hospitals in the National Capital Territory of Delhi;*

*c) direction to the Directorate General of Health Services should issue directions or notification on the uniformity and harmonization of charges and services charged by the Private Nursing Homes and hospitals to the patients in the National Capital Territory of Delhi xxx ;*

*e) any other order or directions as the Hon'ble Court may deem fit and proper in the facts and circumstances of the case be also passed in favour of the Petitioner;”*

2. Having heard counsel for both the sides and looking to the facts and circumstances of the case, it appears that this petitioner is in search of imposing a cap upon the charges being charged by the private nursing homes and hospitals. It appears that the charges of the private nursing homes and hospitals depend upon the variety of factors like,

- (a) number of facilities being provided by the private nursing homes and hospitals,
- (b) the promptness in providing of services by the private nursing homes and hospitals,
- (c) efficiency of the staff engaged by the private nursing homes/and hospitals
- (d) number and quality of services provided by the private nursing homes and hospitals etc.

3. Looking to the prayers made in this writ petition, there cannot be uniformity in charging of rates by the private nursing homes and hospitals from the patients falling under general category. All private nursing home and Hospitals cannot be equated with respect to the charges

required to be paid by the patients. It depends upon the nature of disease/diagnosis of the patients and the type of treatment given by the private homes/hospitals. Even otherwise, the charges to be paid by the patients as levied by the private nursing homes and hospitals depend upon the facilities available with them. Hence, we see no reason to entertain this writ petition.

4. With these observations, this writ petition is hereby dismissed.

**CHIEF JUSTICE**

**C.HARI SHANKAR, J.**

**OCTOBER 23, 2019**

*r.bararia*

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