

GAHC010108722020



**THE GAUHATI HIGH COURT**  
**(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)**

**Case No. : PIL/48/2020**

DEBABRATA SAIKIA  
S/O- LT. HITESWAR SAIKIA, ASSAM LEGISLATIVE ASSEMBLY HOSTEL,  
DISPUR, GHY-06

VERSUS

UNION OF INDIA AND 2 ORS.  
REP. BY THE SECY., MINISTRY OF HEALTH AND FAMILY WELFARE, GOVT.  
OF INDIA, NIRMAN BHAVAN, NEW DELHI- 110001

2:THE STATE OF ASSAM  
REP. BY THE CHIEF SECY. TO THE GOVT. OF ASSAM  
DISPUR  
GHY-06

3:THE SECRETARY  
GOVT. OF ASSAM  
HEALTH AND FAMILY WELFARE DEPTT.  
DISPUR  
GHY-0

**Advocate for the Petitioner : MR. S S S RAHMAN**

**Advocate for the Respondent : ASSTT.S.G.I.**

**BEFORE**

**HON'BLE THE CHIEF JUSTICE (ACTING) MR. N. KOTISWAR SINGH  
HON'BLE MR. JUSTICE MANISH CHOUDHURY**

**ORDER**

**22-12-2020**

[N. Kotiswar Singh, CJ(Acting)]

Heard Mr. S.B. Rahman, learned counsel for the petitioner.

Learned counsel for the petitioner submits that he has filed an additional affidavit giving instances where proper treatment has been denied to the non-COVID patients on the ground of pre-occupation with the COVID patients though these patients would also require earlier attention of the hospitals.

We would like to have response from the Health Department of the State.

Accordingly issue notice, returnable in 3 (three) weeks.

Mr. R.K. D. Choudhury, learned Asstt. SGI accepts notice on behalf of the respondent no.1 and Ms. S. Sarma, learned Standing Counsel, Health Department accepts notice on behalf of the respondent nos.2 & 3.

List the matter after 3 (three) weeks.

**JUDGE**

**CHIEF JUSTICE (ACTING)**

**Comparing Assistant**