

ITEM NO.8

COURT NO.1

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Writ Petition (Civil) No. 1085/2018

ARUN KUMAR GOENKA

Petitioner

VERSUS

UNION OF INDIA & ORS.

Respondents

(FOR ADMISSION)

Date : 11-01-2019 This matter was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE SANJAY KISHAN KAUL

For Petitioner

Mr. Salman Khurshid, Sr. Adv.
Mr. Vivek Narayan Sharma, AOR
Ms. Azra Rehman, Adv.
Ms. Amna Darakhshan, Adv.
Ms. Mohika Jain, Adv.
Mr. Maneesh Pathak, Adv.
Mr. Pragyan Mishra, Adv.
Mr. Shesh Mani Pandey, Adv.

For Respondents

Mr. Tushar Mehta, ASG
Ms. Aishwarya Bhati, Adv.
Mr. Ashok Panigrahi, Adv.
Ms. Seema Bengani, Adv.
Mr. Anmol Tayal, Adv.
Mr. S. Vinay Ratnakar, Adv.
Mr. Gurmeet Singh Makker, AOR

Mr. Mukul Rohatgi, Sr. Adv.
Mr. Shyam Divan, Sr. Adv.
Mr. Ashwin Sapra, Adv.
Ms. Ranjeeta Rohatgi, Adv.
Mr. Biplab Lenin, Adv.
Ms. Mansi Birla, Adv.
Ms. Shraddha Kulshreshta, Adv.
M/s. Cyril Amarchand Mangaldas, Adv. (AOR)

UPON hearing the counsel the Court made the following
O R D E R

The counter affidavit filed on behalf of respondents nos. 1 and 2 elaborately sets out the steps

taken by the Ministry of Health and Family Welfare, Government of India after submission of the report of Dr. Arun Kumar Aggarwal, Professor of E.N.T., Maulana Azad Medical College, in January, 2018. Specifically, it has been stated that certain modifications have been suggested which have been carried out and for determination of quantum of compensation payable, an expert Committee headed by one Dr. R.K. Arya has been constituted. It has been further stated that a public notice has been issued on 11.9.2018 to enable the aggrieved persons to approach the Committee and further that the Committee has already had five sittings and has recommended that compensation upto the extent of Rs.1.22 crores approximately can be granted and also the principles/formula for grant of compensation have/has been recommended, which recommendations have been accepted by the Ministry of Health and Family Welfare.

In view of the above developments that have taken place, we do not find any justification in keeping this matter pending any longer. The same is accordingly closed with the direction that the constitution of the Committee and the principles for award of compensation have to be given wide publicity to enable all the affected persons to approach the Committee, if so advised.

The writ petition is accordingly disposed of.

(Deepak Guglani)
Court Master

(Anand Prakash)
Court Master