

WP No. 22348 of 2026

Dated : 24-06-2026

Ms. Shannoshagufta Khan, learned counsel for the petitioner.

Ms. Anushka Bhargava, learned Panel Lawyer for the respondents/State.

1. Heard on IA No.6603/2026, which is an application for immediate shift to a super speciality private hospital and interim relief in terms of Laxmi V/s. Union of India.

2. The present petition has been filed by the petitioner under Article 226 of the Constitution of India. The case of the petitioner is that the petitioner who is only a four year's minor child was subjected to acid attack on 29.05.2026, by which she and her brother and mother have suffered serious burn injuries for which photographs Annexure P/1 have been filed which demonstrate that the petitioners and other persons have suffered serious burn injuries. It is further submitted that the petitioners who were undergoing treatment at Community Health Centre, Rajpur, District Barwani, when the petition was filed and on 18.06.2026 they were discharged as for not having adequate treatment as well as infrastructure facilities. It is further submitted that in cases of survivor of the acid attacks the Hon'ble Apex Court has issued guidelines in the case of **Laxmi V/s. Union of India and Others** {(CrI.) No.129/2006} reported in (2014) 4 SCC 427 and **Parivartan Kendra V/s. Union of India and Others** {(W.P. No.(Civil) No.867/2013)}

(2016) 3 SCC 571.

3. This Court considering the urgency in the matter has directed the State to take instructions in the matter and also directed petitioner to get herself admitted at Super Speciality Hospital, District Indore by 23.06.2026. The State authorities were also directed to submit a report before this Court as to whether the petitioner can be better treated at Arvindo Hospital, District Indore.

4. Counsel for the State has passed over the report on board according to which it is opined by the committee of the doctors of different faculties that admittedly the petitioners and other persons have suffered serious injuries which require long and specialized treatment and is available in the Super Speciality Hospital, District Indore. Taking serious objections to the said report counsel for the petitioner has shown recent photographs of the hospital to submit that the burn ward is not properly equipped and maintained with proper hygiene as it contains fungal infection on the walls and even there are rats for which cages are also kept at the site. The Court has seen the photographs of the burn ward and also shown it to the counsel for the State. From perusal of the report dated 24.06.2026 it is found that the petitioner and other persons who suffered injury due to acid attack requires specialized treatment. It is also found that the petitioner is a minor girl of age four year and her brother is of age 6 years, (petitioner in the connected petition W.P. No.22356/26) are suffering from serious burn injuries. According to the report if they are not treated properly it may result into sepsis and septic shocks and other clinical abnormalities. The Hon'ble Apex

Court in the case of **Laxmi (supra)** has held as under :-

"Insofar as the proper treatment, aftercare and rehabilitation of the victims of acid attack is concerned, the meeting convened on 14.03.2015 notes. unanimously that the full medical assistant should be provided to the victims of acid attack and that private hospitals should also provide free medical treatment to such victims. It is noted that there may perhaps be such victims some reluctance on the part of some private hospitals to provide free medical treatment and, therefore the concerned officers in the State Governments should take up the matter with the hospitals. So that they are also required to provide free medical treatment to the victims of acid attack.

The decisions taken in the meeting read as follows:

1. The States/UTs will take a serious note of the directions of the Supreme Court with regard to treatment and payment of compensation to acid attack victims and to implement these directions through the issue of requisite orders/notifications.
2. The private hospitals will also be brought on board for compliance and the States/UTs will use necessary means in this regard.
3. No hospital/clinic should refuse treatment citing lack of specialized facilities.
4. First-aid must be administered to the victim and after stabilization, the victim/patient could be shifted to a specialized facility for further treatment whenever required.
5. Action may be taken against hospital/clinic refusal to treat victims and other crimes in contravention of the provisions of section 357C of the Criminal Procedure , 1973.

We expect the authorities to comply with these decisions.

Although it is not made clear in the meeting held on 14.03.2015, what we understand by free medical treatment is not only provision of physical treatment to the victim of acid attack but also availability of medicine, bed and food in the concerned hospital.

We, therefore, issue a direction that the state Governments/Union Territories should seriously discuss and take up the matter with all the private hospitals in

their respective State/Union Territory to the effect that the private hospitals should not refuse treatment to victims of acid attack and that full treatment should be provided to such victims including medicines, food, bedding and reconstructive surgeries."

5. According to said guidelines the State Governments/Union territories were directed to take up the matters with all the private hospitals in their respective State/Union territory to the effect that the private hospitals should not refuse treatment to victims of acid attack and full treatment should be provided to such victims including medicines, food, bedding and reconstructive surgeries. It is further directed that the hospital in which the victims of an acid attack is first treated, should give a Certificate that the individual is a victim of an acid attack. In the event of any specific complaint against any private hospital or Government hospital, the acid attack victim will, of course be at liberty to take further action and in case of any compensation prayed by any acid attack victim the matter will be taken up by the District Legal Service Authority which will include the District Judge, Director General and persons whom the District Judge feels appropriate, particularly the District Magistrate, Superintendent of Police and Civil Surgeon or the Chief Medical Officer of that District or their nominee. The body will function as criminal injury compensation Board for all purposes. Considering the fact that the victims are minor and required special treatment for long time, the petitioner has also placed on record their Ayushman Card for cashless treatment upto Rs.5,00,000/- issued under Ayushman Bharat Pradhan Mantri Jan Aarogya 'Niramayam' Yojna (Annexure P/14) filed along with IA No.6603/2026.

6. The counsel for the petitioner has shown the photographs of the

hospital where the petitioners are being treated and also made submissions in the application in regard to their treatment in a specialized private hospital viz. Bombay Hospital, Indore, Appollo Hospital, Indore, CHL Hospital, Indore. In the considered opinion of this Court the petitioners are entitled to get treatment at the private hospitals as they suggest in their application in the light of the dictum of the Hon'ble Apex Court, therefore, without commenting on the affairs and conditions of the hospital where the petitioners are being treated this Court is of the opinion that as the petitioners are already registered with the Ayushman Bharat Pradhan Mantri Jan Aarogya 'Niramayam' Yojna and they are willing to get treated at the specialized private hospital, therefore, IA No.6603/2026 is disposed off with the following directions :-

"(i) The Bombay Hospital, Indore is directed to admit the petitioner, forthwith. It is also made clear that Hospital in question will keep a separate account of the expenditure incurred towards the treatment of the girl in question and shall not force the petitioner/demand the expenditure incurred in treating the girl in question, same shall be reimbursed from Ayushman Card of petitioners. The Bombay Hospital shall also extend all kind of possible treatment required and the amount of expenditure required for such special surgery if on higher side, then insured amount Secretary District Legal Service Authority, Indore shall release the payment, immediately, that will be subject to final outcome of the present writ petition.

(ii) The attested copy of the order be handed over to the learned counsel for the petitioner, today itself.

(iii) The Bombay Hospital is also directed to ensure admission of the petitioner, today itself and to start: proper treatment which is required by the girl.

(iv) It is also made clear that the respondent No.3, the Secretary District Legal Service Authority, Barwani shall also take appropriate steps for release of funds, keeping in view the judgment delivered by the Hon'ble Supreme Court in the matter of Laxmi Vs. Union of India and others passed in Writ Petition No. (Cri.) No. 129/2016 dated 10.04.2015."

Issue notice to the respondents on payment of process fee within seven working days for the other reliefs as prayed by the petitioners.

(DEEPAK KHOT)
JUDGE