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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 11116/2025 & CM APPL. 45733/2025**
NITIN GARGPetitioner

Through: Petitioner in person.

versus

GOVERNMENT OF NCT OF DELHI & ORS.Respondents
Through: Mr. Abhinav Singh, Adv. for GNCTD
Mr. Tushar Sannu, Adv. for DDA with
Mr. Aman Kumar, Adv.
Ms. Mansi Bajaj with Mr. Saatvik
Khurana, Adv. for R-3 and 4.

CORAM:
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER
30.07.2025

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1. Heard learned counsel representing the parties.
2. The prayer made in this writ petition is in relation to taking certain actions against a Hospital known as Rajiv Gandhi Cancer Institute & Research Centre, which is said to be a unit of Indraprastha Cancer Society & Research Centre, for not providing the free treatment as per the mandate issued by this Court in view of the judgment of Hon'ble Supreme Court dated 09.07.2018. The said judgment mandated the Hospital to provide 10% IPD and 25% OPD patients completely free of charge facilities to the eligible category of EWS patients.
3. Our attention has been drawn to a letter dated 11.07.2018 written by the



Directorate of Health Services, Government of NCT of Delhi to the Medical Superintendent of the Hospital concerned requiring the Hospital to comply with the said directions.

4. The submission of learned counsel representing the Hospital, however, is that the Hospital is not covered by the judgment dated 09.07.2018, for the reason that this Hospital is not similarly circumstanced/situated. A reply is said to have been already submitted by the Hospital to the letter dated 11.07.2018, which is contained in Annexure P-10 appended to the writ petition.

5. The decision on the issue as to whether the Hospital in question is covered by the said judgment of Hon'ble Supreme Court, has not been taken by the Delhi Government.

6. Accordingly, we dispose of this writ petition with the direction to the appropriate Department/Officer of the Government of NCT of Delhi to take appropriate decision on the said issue with expedition within a period of 03 months from the date. A certified copy of this order be produced before the Government. The decision which may be taken under this order shall be communicated to the petitioner.

7. We make it clear that we have not made any observation as to the merit of the claim of either of the parties.

DEVENDRA KUMAR UPADHYAYA, CJ

TUSHAR RAO GEDELA, J

JULY 30, 2025/j