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THE HIGH COURT OF MADHYA PRADESH

WP No.8914/2020

In-Reference (Suo Motu) Vs. Union of India & Ors.

Jabalpur, Dated: 10.06.2021

Heard through Video Conferencing.

Parties through their counsel.

Shri.Naman Nagrath, learned Sr.Advocate with Shri Jubin Prasad, Advocate appeared as Amicus Curiae and submits that he has already filed his objection to 7th Action Taken Report by the State vide provisional ID 16602/2021.

The office to place the same on record.

Shri.Purushendra Kaurav, learned Advocate General for the respondent/State today filed the 8th Interim Action Taken Report.

The learned Amicus Curiae to file his response thereto.

An application has been jointly filed on behalf of Indian Medical Association, Jabalpur and Nursing Home Association vide IA No.5633/2021 with the prayer that in view of the change in the vaccination policy by the Union government, they are willing to return the remaining Vials/vaccination doses to concerned CMHO who may be directed to refund the amount of Rs.5,56,500/- paid in-lieu thereof as per the following details:-

S. N	Name of Hospital	City	No.of doses refund	Total Amount
1	Pandey Hospital Pvt. Ltd	Jabalpur	700 Doses in stock waiting for permission + 300 doses payment done but not given	150000
2	K J Memorial Hospital	Jabalpur	100 doses in stock + 1 Vial return to Victoria Hospital	16500
3	Life Medicity Pvt. Hospital	Jabalpur	85 Vials in stock	127500
4	Nirmal Clinic	Jabalpur	Covaxine- 15 Vials Covishiled- 1 Vial	24000
5	Mahakoshal Hospital Pvt. Ltd	Jabalpur	35 Vials in stock	52500

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6	Mamta Hospital	Gwalior	30 Vials payment done but not given	45000
7	Patidar Hospital	Ujjain	31 Vials returned	46500
8	Saptrishi Hospital	Jabalpur	250 Doses payment done but not received	37500
9	Aditya Hospital	Jabalpur	28 Vials returned	42000
10	Padarkar Hospital	Narsingpur	10 Vials not received	15000
			TOTAL AMOUNT	556500

The application is not opposed by learned Advocate General.

In view of change in the policy of vaccination by the Union Government, now all the vaccinations will have to be provided free of cost. Hence, the application is allowed. The hospital referred above may return the indicated number of Vials/vaccine doses to concerned CMHO of Jabalpur, Gwalior, Ujjain and Narsinghpur who shall duly verify the same and the amount paid in-lieu thereof shall be refunded to the concerned hospital within a period of one month.

I.A. No.No.5633/2021 is accordingly disposed of.

List on **21/6/2021**.

(Mohammad Rafiq)
Chief Justice

(Sujoy Paul)
Judge

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