

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH : NAGPUR.**

**CIVIL APPLICATION (CAO) (ST) NO. 5724 OF 2021
IN
SUO-MOTU PUBLIC INTEREST LITIGATION 4 OF 2020
Court on its own motion
Vs.
Union of India and others**

**WITH
PUBLIC INTEREST LITIGATION NO. 10 OF 2020
Subhash Jainarayan Zanwar
Vs.
Union of India and others**

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri S. P. Bhandarkar, Amicus Curiae
Shri D. P. Thakre, Addl. G.P. for State
Shri U. M. Aurangabadkar, ASGI for Union of India
Shri Raheel Mirza, Advocate for Intervener
Shri T. D. Mandlekar, Advocate for Intervener
Shri M. Anilkumar, Advocate for Intervener

**CORAM :- Z. A. HAQ AND
AMIT B. BORKAR, JJ.**

DATED :- 15.04.2021

Heard.

2. The Intervener -Dr. Mukesh Chandak has pointed out the difficulties faced by the patients in getting the reports of RT-PCR test. According to the applicant-Intervener, the delay in getting the reports by the patients is because the laboratories are not giving the reports unless the reports are uploaded on the Indian Council of Medical Research (ICMR) portal and sometimes the server is slow, which results in delay in

uploading of the reports.

3. Learned Amicus Curiae and learned Advocates appearing for the Interveners suggested that the reports of the patients, whether positive or negative, shall be immediately sent to the patients on Whatsapp and hard copies of the reports shall also be made available to the patients immediately without holding delivery of all such reports on the ground that the reports have not been uploaded on the ICMR portal. As far as uploading of reports on the ICMR portal is concerned, of course it should be done as the data is of utmost importance for the concerned Government and the Authorities to take appropriate decision and action in the matter.

4. Hence, we direct that after making the reports available to the patients on Whatsapp as also hard copy of it, the reports of the patients, who test positive shall be uploaded on the ICMR portal within 24 hours and the reports of the patients who test negative should be uploaded on the ICMR portal within 7 days and if these directions are not complied with by the laboratories, the authorities will be free to take appropriate action against the concerned laboratories, as deemed fit by the concerned authority. This arrangement shall continue until further orders.

5. The Civil Application is disposed accordingly.

6. List the matter for further consideration on **20.04.2021.**

JUDGE

JUDGE

RR Jaiswal