

**WP (PIL) No. 06 of 2020**

IN RE: COVID 19 MANAGEMENT

**Date: 30.11.2020**

**CORAM:**

**HON'BLE MR. JUSTICE ARUP KUMAR GOSWAMI, CHIEF JUSTICE  
HON'BLE MR. JUSTICE BHASKAR RAJ PRADHAN, JUDGE**

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*(BHASKAR RAJ PRADHAN, J)*

Heard Mr. Jorgay Namka, learned Amicus Curiae. Also heard Mr. Vivek Kohli, learned Advocate General, Sikkim for respondent nos. 3 to 11 and Ms. Sangita Padhan, learned Assistant Solicitor General of India for respondent nos. 1, 2 and 12.

During the course of the proceedings today, Mr. Kohli has drawn our attention to the affidavits dated 05.11.2020 and 27.11.2020.

During the course of deliberation, some aspects, which have not been discussed in detail in the affidavit, had been brought to the notice of the learned Advocate General.

The Court specifically wanted to know whether infrastructural developments relating to management of Covid-19 that have taken place ,if any, after the lockdown was imposed. The Court also wanted to know whether there had been any increase in the testing done over the period of time. There are other incidental issues regarding the monitoring mechanism, transporting of a COVID-19 patient from other districts to the STNM Hospital, etc. which have not been dealt with. The details with regard to the incidents mentioned in the letter dated 26.08.2020 have also not been indicated.

**HIGH COURT OF SIKKIM**  
**Record of Proceedings through Video Conferencing**

Mr. Kohli submits that he will file an affidavit bringing on record all aspects which he considers to be relevant for the purpose of this PIL.

To a question posed to Mr. Kohli as to whether charging non-Sikkimese persons residing in the State of Sikkim for COVID-19 tests while not charging Sikkimese people can be justified on the anvil of Article 14 of the Constitution of India, Mr. Kohli submitted that some time may be given to him to respond to the question .

This aspect will also be considered on the next date.

The affidavit shall be filed on or before 07.12.2020.

List the case on 09.12.2020.

A copy of the affidavit shall also be furnished to Mr. Yam Kumar Subba, learned counsel for the petitioner in W.P.(PIL) No. 08 of 2020.

**Judge**

**Chief Justice**

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