

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

PUBLIC INTEREST LITIGATION (L) NO. 11264 OF 2021

Siddharth Chandrashekar ... **Petitioner**

vs.

The Union of India & Ors. ... **Respondents**

Ms. Anita Shekhar-Castellino a/w Sneha Prabhu and Siddharth Chandrashekar i/b Bruno Castellino for Petitioner

Smt. Purnima Kantharia, G. P. with Ms. Geeta Shastri, Addl. G. P. For State

Ms. K. H. Mastakar for MCGM

Mr. Anil C. Singh, ASG, a/w Mr. Aditya Thakkar, Mr. D P Singh and Yash Momaya i/b Mr. Gul Asnani for Respondent –Union of India

WITH

PUBLIC INTEREST LITIGATION (L) NO. 11649 OF 2021

Yogeeta R. Vanzara ... **Petitioner**

vs.

The Union of India & Ors. ... **Respondents**

Mr. Jamshed Master i/b Rajesh Vanzara for Petitioner

Smt. Purnima Kantharia, G. P. with Ms. Geeta Shastri, Addl. G. P. For State

Mr. Anil C. Singh, ASG, a/w Mr. Aditya Thakkar, Mr. D P Singh and Yash Momaya i/b Mr. Gul Asnani for Respondent –Union of India

Ms. K. H. Mastakar for MCGM

**CORAM :- DIPANKAR DATTA, CJ &
G. S. KULKARNI, J.**

DATE :- MAY 20, 2021

PC :

1. Since more or less common concerns are raised in these two PIL petitions, we propose to hear them together.

2. The petitioners in these two petitions essentially seek orders on the respondents for orderly administration of vaccines. A common grievance that has been raised is that those who have obtained appointments upon accessing the CoWIN portal are either made to wait for long hours for vaccination or are refused such vaccination on the ground that there is no stock. According to the petitioners, preference is being given to 'on spot' registrants who are walking-in for vaccination.

3. This allegation is, however, strongly denied and disputed by the respondents. Ms. Mastakar, learned Advocate appearing for the Mumbai Municipal Corporation for Greater Mumbai submits that in reality, the position is contrary to what has been alleged by the petitioners, viz. the persons intending to be vaccinated and having appointments obtained on accessing the CoWIN portal are given preference to those who are on spot-registrants.

4. Having heard learned advocates for the parties and considering the nature of concerns involved in these PIL petitions, we call upon the respondents to file their respective reply affidavits by May 31, 2021; rejoinder thereto, if any, may be filed by June 1, 2021. These PIL petitions shall be listed on **June 2, 2021** for further consideration.

5. We are inclined to reiterate that online registrants who have obtained appointments for vaccination upon accessing the CoWIN portal shall be given preference to 'on spot' registrants in the matter of vaccination. Also, we direct the respondents to make earnest endeavour to ensure that elderly citizens are not made to stand in queues at the vaccination centres for long and that immediate steps are taken to vaccinate them without making them to wait.

6. We also make it clear that the healthcare workers and frontline workers in the age group of 18 years to 44 years, who are yet to be vaccinated, may be vaccinated on priority basis in accordance with law.

(G. S. KULKARNI, J.)

(CHIEF JUSTICE)