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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 8173/2024 & CM APPL. 33549-33551/2024

PATIENT SAFETY AND ACCESS INITIATIVE OF INDIA
FOUNDATION

..... Petitioner

Through: Mr. Sandeep Sethi, Senior Advocate
with Mr. Karan Gupta, Advocates.

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr. Ravi Prakash, CGSC with
Mr. Hussain Taqvi, GP, Ms. Astu
Khandelwal and Mr. Ayushman
Kishore, Advocates for UOI.
Mr. Yogendra Aldak, Mr. Pranav
Mundra and Mr. Balraaj Singh
Chhatwal, Advocates for R-6&7.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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30.05.2024

1. Present public interest litigation has been filed seeking issuance of directions to the Respondents to identify and furnish a list of all second-hand and re-furbished High-End And High-Value (“HEHV”) Used Medical Equipment other than Critical Care Medical Equipment that have been imported into India since 2019 without permission of the Ministry of Environment Forest and Climate Change (“MoEFCC”) and for directions to Respondent No.6 to immediately recall all such Refurbished HEHV Medical Equipment that are installed without prior approval as per the Rules and



Regulations and stop the import of Refurbished HEHV Medical Equipment including the systems that are at customs cleared and not installed at customer locations until the Government inter-ministerial committee of Respondents Nos.1 to 5 decides on implementation of policy framework that would regulate the import of such devices.

2. Perusal of the paper book reveals that the Petitioner has not made any representation to any of the Respondents before filing the present public interest litigation.

3. Consequently, the present public interest litigation along with applications is dismissed with liberty to the Petitioner to first approach the Respondents with its grievance. In the event, the petitioner is aggrieved by the response of the respondents, it shall be at liberty to approach this Court.

ACTING CHIEF JUSTICE

MANMEET PRITAM SINGH ARORA, J

MAY 30, 2024

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