

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

W.P. (C) 641/2013

PRIYA KALE

... Petitioner

Through: Ms. Doma Bhutia, Ms. Amiy Shukla and  
Mr. Anant Kumar Asthana, Advocates

Versus

GOVT. OF NCT OF DELHI AND ORS

...

Respondent

Through: Ms. Zuebad Begum, Advocate for R-1 and  
R-2.  
Mr. Parvinder Chauhan, Advocate for R-3.  
Mr. Jayant Tripathi, Sr. Standing Govt.  
Counsel with Ms. Nayantara Roy,  
Advocate

**CORAM:**

**HON'BLE MR. JUSTICE RAJIV SHAKDHER**

**ORDER**

**01.02.2013**

The present writ petition raises an important issue with regard to shelter for homeless pregnant and lactating women in the National Capital Territory of Delhi.

The writ petition is premised on the order passed by the Supreme Court of India in the case of PUCL v. Union of India in Writ Petition No. 196/201. Reliance is also placed on the order of this Court passed in Writ Petition No. 5913/2010.

I am informed by learned counsel for the petitioner that the Government of NCT of Delhi has set up two such shelter homes for pregnant and lactating women in Sara Rohilla and Jahangir Puri. Learned counsel for the petitioner submits that petitioner, who resides in Motia Khan shelter lost one of her children due to the conditions in the home. It is also submitted that Motia Khan shelter is a shelter for families of homeless persons which also houses homeless single women who are pregnant and lactating.

It is the submission of the learned counsel for the petition that issues of privacy are often ignored and also there are concerns with regard to the living conditions in the Motia Khan shelter.

Ms. Zuebad Begum, who appears on advance notice, says that she will file a status report along with photographs as regards the conditions of the Motia Khan shelter home as also the shelters houses in Sarai Rohilla and Jahangir Puri (collectively referred to as shelter homes).

The status report will not only advert to the living conditions but also deal with the issues with regard to the provision of food and facilities pertaining to laboratory and other health facilities.

The status report be filed within three weeks.

In the meanwhile, respondents shall ensure that:

- i. The blowers/heaters as well as geysers are provided in the aforementioned shelter homes.
- ii. In case, anyone of the inhabitants of the shelter homes is due to deliver within next three weeks, or thereafter, intimation will be given to the nearest MCD hospital. The Manager of the shelter homes shall ensure that such a person is transported, if necessary, to the nearest hospital where medical facilities are available, as advised by the doctor of the MCD hospital.
- iii. The respondent shall ensure adequate provision is made for food keeping in mind the population of inhabitants in each of the shelter homes. The provisioning would factor in that the inhabitants will have to be provided three meals a day, that is, breakfast, lunch, and dinner.

Renotify on 12<sup>th</sup> March, 2013.

Dasti under the signature of the Court Master.

**RAJIV SHAKDHER, J.**

**FEBRUARY 01, 2013**

**s.pal**