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

+ W.P.(C) 9891/2024 & CM APPL. 40619/2024

AAKASH GOEL

.....Petitioner

Through: Mr. Anuj Aggarwal, Ms. Divya Aggarwal, Mr. Pradeep Kumar, Mr. Manas Verma and Mr. Siddharth Nair, Advocates.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Syed Abdul Haseeb, CGSC for UOI/R-1 & 2.
Mr. Satyakam, ASC, GNCTD with Mr. Pradyut Kashyap, Advocate for R-3.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

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22.07.2024

1. Present Public Interest Litigation petition has been filed challenging Clause 7 of the Umbrella Scheme of Rashtriya Arogya Nidhi (RAN) on the ground that it is arbitrary, discriminatory and in violation of Articles 14 and 21 of the Constitution of India.
2. Learned counsel for the Petitioner states that in 2015, the Union of India introduced an upper limit for the ration card beneficiaries on the basis of 2011 census and he states that the ceiling is fixed at 72,77,995 beneficiaries for NCT of Delhi, which was actualised in 2016. He states that the ceiling imposes impediment upon issuance of new Ration Cards, unless the existing cardholder has either died or cancelled or forfeited their ration card.



3. He states that *vide* Office Memorandum dated 01st February, 2019, the Ministry of Health and Family Welfare, Department of Health & Family Welfare issued guidelines for implementation of the Umbrella (RAN). He further states that in terms of Clause 7 of the said guidelines, a destitute patient is required to have Income Certificate and Ration Card. According to him, the requirement of Ration Card is perverse insofar as no new Ration Cards have been issued by Govt. of NCT of Delhi. He states that poor patients in need of financial aid and benefits under the RAN scheme are denied the same solely on the ground of non possession of Ration Card.

4. Issue notice to the Respondents. Mr. Syed Abdul Haseeb, learned Central Government Standing Counsel accepts notice on behalf of Respondents no.1 and 2. Mr. Pradyut Kashyap, Advocate accepts notice on behalf of Respondent no.3. They pray for and are permitted to file their counter affidavits within four weeks. Rejoinders thereto, if any, be filed before the next date of hearing.

5. List on 25th November, 2024.

ACTING CHIEF JUSTICE

TUSHAR RAO GEDELA, J

JULY 22, 2024

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