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

+ W.P.(C) 10790/2024

SAMADHAN ABHIYAN

.....Petitioner

Through: Mr. Abhigyan Siddhant, Mr. Anurag Sahay and Mr. Rohit Kumar, Advocates.

versus

GOVERNEMNT OF NCT OF DELHI & ORS.Respondents

Through: Mr. Sameer Vashisht, ASC (Civil), GNCTD with Mr. Vanshay Kaul, Mr. Vedansh Vashisht and Ms. Harshita Nathrani, Advocates for R-1 & 2.
Ms. Sangeeta Bharti, Standing Counsel, DJB alongwith Ms. Malvi Balyan and Ms. Vidushi Gupta, Advocates for DJB/R-3 (through VC).
Mr. Anurag Ahluwalia and Mr. Abhay Singh, Advocates for CBI/R-4.
Mr. Naveen Kumar from Department of Social Welfare.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

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05.08.2024

1. Present public interest petition has been filed seeking constitution of an independent Committee headed by a retired Judge of this Court for conducting a Court-monitored investigation and inquiry into the deaths of fourteen (14) children that have occurred in Asha Kiran Shelter Home in Rohini, Delhi or alternatively, the petitioner seeks issuance of directions to



respondent no.4-Central Bureau of Investigation (“CBI”) to conduct an inquiry and investigation. The petitioner further seeks a direction to conduct a social audit of all the Shelter Homes of Delhi run by respondent nos.1 and 2 to ensure that the actual and correct picture of the social impact as well as the living conditions thereof is brought to light.

2. Learned counsel for the petitioner states that on 2nd August, 2024, various news portals on the television as well as on the internet reported a story of unfortunate deaths of children in Asha Kiran Shelter Home run by respondent No. 2 (Department of Social Welfare, Govt. of NCT of Delhi) in Rohini, Delhi, within a period of twenty (20) days.

3. Learned counsel for respondent nos.1 and 2, who appears on advance notice, has handed over a tabular chart containing a summary of reasons, on account of which fourteen (14) unfortunate deaths had taken place in the month of July, 2024. He states that all the fourteen (14) deceased were cases of severe and profound category of intellectual disability. He points out that out of fourteen (14) deceased, thirteen (13) had expired after being admitted in BSA Hospital for treatment.

4. A cursory glance of the Summary handed over by learned counsel for the respondents shows that nearly all deceased were suffering from tuberculosis.

5. The Delhi Jal Board is directed to inspect/test the quality of water as well as the condition of the water and sewer pipelines and file a report before the next date of hearing.

6. The Secretary of Department of Social Welfare, Govt. of NCT of Delhi, is also directed to visit Asha Kiran Complex tomorrow and file a report before this Court before the next date of hearing. The Secretary,



Department of Social Welfare shall ensure that basic amenities such as clean bedding, sanitary facilities, proper clothing, clean water and nutritious food are made available to the residents of Asha Kiran Complex.

7. The Delhi Government is directed to take immediate steps to decongest Asha Kiran by transferring some residents to other Shelter Homes or appropriate institutions.

8. List the matter on 07th August, 2024 at 12.30 p.m.

ACTING CHIEF JUSTICE

TUSHAR RAO GEDELA, J

AUGUST 5, 2024

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