

Bhisham Kinger Vs. State of Punjab and others

Present : Mr. Bhisham Kinger – Petitioner in person.

Mr. Salil Sabhlok, Sr.DAG, Punjab.

Ms. Shubhra Singh, Addl. Advocate General, Haryana.

Mr. Abhinav Sood, Advocate,
Ms. Ekakshra Mahajan Mandhar, Advocate, and
Mr. Arsh Bir, Advocate, for U.T. Chandigarh.

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1. Additional affidavits dated 07.03.2026 and 27.03.2026, duly sworn by the Secretary to Government of Punjab, Department of Health & Family Welfare, do not explain in clear terms as to why each District hospital in the State does not have CT Scan machine and Magnetic Resonance Imaging (MRI) machine.

2. In order dated 27.01.2026, we had expressed our surprise and shock to the fact, as disclosed by the petitioner and not denied by learned counsel for the State of Punjab, that District hospital of Malerkotla has no ICU.

3. The position in the affidavit of the Director, General Health Services, Haryana, dated 15.01.2026, is also not different.

4. Being a welfare State, where health and well-being of citizens is one of the prime sovereign responsibilities of the State, the least that is required of the States of Punjab and Haryana is to provide at least one CT Scan machine and one MRI machine in every district hospital of both the States. Each District hospital should also have an ICU with such number of beds as are commensurate to the requirement of each District hospital.

5. We, thus, issue a writ of mandamus to the States of Punjab and Haryana to purchase and install at least one CT Scan and MRI machine and to also provide an ICU in each district hospital.

6. The purchase and installation of CT Scan and MRI machines in both the States should be under the ownership, control and management of staff of the concerned district hospital, and not controlled by outsiders.

7. Perusal of affidavit dated 27.03.2026 sworn by the Secretary to Government of Punjab, Department of Health & Family Welfare, it is evident that in the State of Punjab, there are 3665 sanctioned posts of regular Medical Officer (General) and in regard to Medical Officer (Specialist), the sanctioned posts are 2050. The extent of vacancies of regular Medical Officers in the State is to the tune of 2877 [(2042 in regard to Medical Officer (General) and 835 as regards Medical Officer (Specialist)].

8. The affidavit of the Director, General Health Services, Haryana, dated 15.01.2026, does not depict vacancies of posts of regular Medical Officer (General) and Medical Officer (Specialist), separately.

9. As regards vacancies of the regular posts of Medical Officers, (General) and Medical Officers (Specialist), writ of mandamus is issued to the States of Punjab as well as Haryana, to forthwith issue advertisements for filling up the vacancies on regular basis.

10. Let compliance reports by both the States be filed, before the next date of hearing.

11. List on 06.07.2026.

(SHEEL NAGU)
CHIEF JUSTICE

(SANJIV BERRY)
JUDGE

May 13, 2026
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