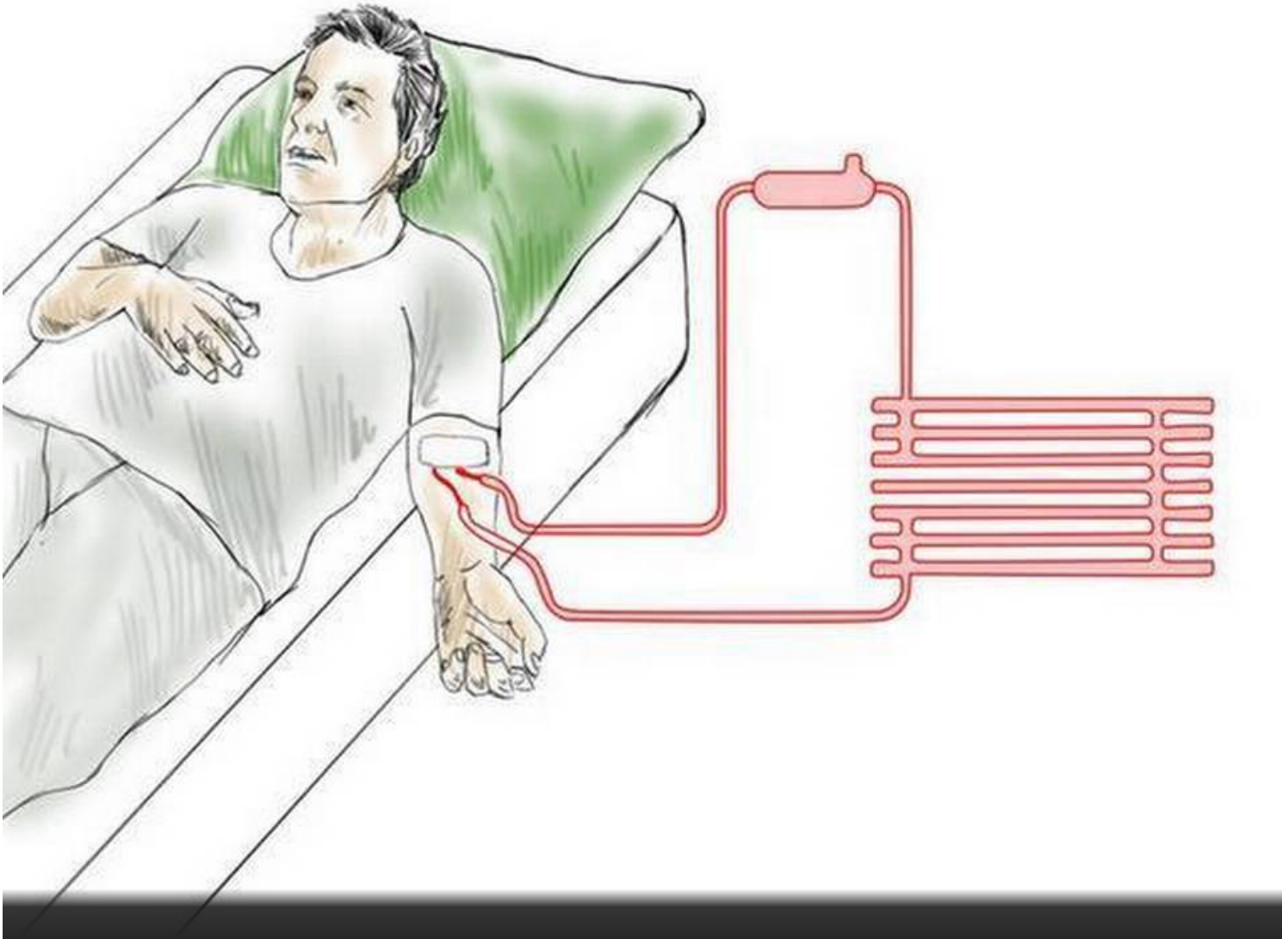


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Orissa High Court orders expeditious probe into denial of dialysis

**Satyasundar Barik**

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Petitioner alleges Cuttack hospital refused to treat him because he was a Muslim

The Orissa High Court has directed the State government to expedite investigation into the death of a patient suffering from chronic kidney disease, but who was denied dialysis at a private hospital at Cuttack, allegedly for his Muslim identity, during the **COVID-19** lockdown.

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Azra Jamal, a lawyer activist, had moved the HC seeking legal action against a Cuttack-based private hospital that denied dialysis treatment to a patient identified as Sayed Abdul Hasan, leading to his death on April 10.

“Shanti Hospital in Cuttack had refused to treat the chronic kidney disease patient because he belonged to Muslim community. As a result of which he died on the same day,” Ms. Jamal said in her petition.

She said the private hospital had turned the patient away, demanding the production of “COVID-19 test certificate” before allowing him to access the dialysis facility.

“The deceased had been availing regular dialysis in the same hospital for the past one-and-a-half years. Even before coming to the hospital, he had taken an appointment. The hospital staff had demanded that the deceased should bring PPE (personal protective equipment) kit for doctors who would attend him. Even after providing some kit, he was again asked to furnish certificate that he had not contracted the coronavirus,” said Ms. Jamal.

The petitioner pointed out that the deceased person’s son was stranded outside the State due to lockdown restrictions and the senior citizen was left to fend for himself during the crisis. On April 12, the deceased’s son had registered an online complaint with the Mangalabag Police Station in Cuttack in this regard.

‘Fear and hatred’

She said repeated news that the Tablighi Jamaat congregation in Delhi had resulted in the spread of COVID-19 at many places had resulted in fear and hatred towards the community.

Ms. Jamal sought the court’s intervention for ensuring healthcare for everyone irrespective of caste, creed, colour, sex and religion.

Acting on the PIL, a Division Bench of the Orissa HC, comprising Justice S. Pujahari and Justice K. R. Mohapatra, directed the Cuttack Collector to enquire into the matter expeditiously and submit a report to the State Government for necessary action.

“The State shall also ensure that no person is denied treatment for any ailment by any hospital of the government or private [sector] if such facility is available with the hospital and if not available, he or she be referred to appropriate hospital where such facility is available. However, such treatment must be guided by the guidelines or instruction given by the State Government in the wake of COVID-19 pandemic,” said the Division Bench.

“Right to Life is a fundamental right for all citizens. One should not be denied medical facilities on ground of religious identity,” said Khirod Rout, a senior counsellor at the Orissa HC.

A letter from the Editor

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