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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **W.P.(C) 858/2021**

JAGDISH PRASAD ..... Petitioner

Through: Mr. Manish Kumar, Advocate.

versus

UNION OF INDIA & ORS. .... Respondents

Through: Mr. Raj Kumar Yadav, Sr. Penal  
Counsel with Mr. Amit Acharya,  
Advocate.

Mr. Dev Bhardwaj, Advocate for R-1,  
2, 4 & 5

Mr. Rizwan, Advocate for R-3.

**CORAM:**

**JUSTICE PRATHIBA M. SINGH**

**ORDER**

% **21.01.2021**

1. This hearing has been done through video conferencing.
2. The Petitioner has raised various allegations against the Central Government Health Scheme (*hereinafter*, 'CGHS') to the effect that the CGHS dispensary has dispensed the wrong medicine to him. The case of the Petitioner is that he was suffering from various ailments and he consulted Dr. Anup Kumar, HOD, Urology & Renal Transplant at Safdarjung Hospital, New Delhi. He was diagnosed with Prostate Cancer and was, *inter alia*, prescribed tablet Zandron 150mg (Nilutamide) for 50 days. The Petitioner, who was a Government servant and a CGHS beneficiary approached the CGHS dispensary, where he was continuously dispensed a different medicine being Nilotonib 150mg (Tasigna) instead of Zandron 150mg (Nilutamide). This position continued from since July, 2019 until July, 2020, when the Petitioner's doctor in Safdarjung Hospital for the first

time realised that the Respondent is being dispensed a medicine different from that prescribed.

3. The medical condition of the Petitioner is stated to have deteriorated considerably. The Petitioner, accordingly, seeks directions for supplying the prescribed medicine i.e., Zandron 150mg (Nilutamide), to the Petitioner instead of the drug which is being dispensed by the CGHS dispensary.

4. Mr. Dev Bhardwaj, ld. counsel who is present in the proceedings today, is requested to accept notice on behalf of Respondent Nos. 1, 2, 4 and 5. He shall seek instructions as to the availability of Zandron 150mg (Nilutamide) and as to why the CGHS dispensed a different medicine to the Petitioner.

6. Mr. Rizwan, ld. counsel who is present in the proceedings today, accepts notice on behalf of Respondent No. 3.

7. Considering the urgency in the matter, list on 3<sup>rd</sup> February, 2021.

**PRATHIBA M. SINGH, J.**

**JANUARY 21, 2021**  
**MR/T**