

SUPREME COURT OF INDIA

Bhopal Gas Peedith Mahila U. Sangat.

Vs.

Union of India (Uoi)

(A Anand and B Kirpal JJ.)

13.04.1998

ORDER

1. We have perused the affidavit filed on behalf of Respondents 3 and 4 by Dr M.K. Joshi. Along with the affidavit, he has filed various documents including the stock position in various hospitals. A bare look at the stock position as reflected in Annexure R-3/3 belies what is stated in the affidavit. Besides, in the affidavit it is stated that as per the record of the State, 85% equipments are functional as on today. That position is not borne out from the chart filed by the petitioners which shows most of the equipments to be non-functional. We are not satisfied with the correctness of the affidavit filed by Dr Joshi as it is belied by other documents. Learned counsel for the State submits that within five days, a proper affidavit explaining the entire position shall be filed. We grant this opportunity but emphasise that the correct position must be stated on affidavit and the officer filing the affidavit should also remain present in court on that date.

2. List next week.