

Sri Jitendra Banjara (In Person)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

W.P.(PIL) NO. 07 OF 2026

PETITIONER

Jitendra Banjara

VERSUS

RESPONDENTS

State of Chhattisgarh & 11 Others

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BILASPUR

DATE: 22.09 / 2026


OFFICER-IN-CHARGE OF THE CASE


(SANGHARSH PANDEY)
GOVT. ADVOCATE /
COUNSEL FOR THE RESPONDENT NO. 12/STATE

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IN THE HIGH COURT OF JUDICATURE AT BILASPUR

W.P.(PIL) NO. 07 OF 2026

PETITIONER

Jitendra Banjara

V E R S U S

RESPONDENTS

State of Chhattisgarh & 11 Others

RETURN ON BEHALF OF RESPONDENT

NO. 12/STATE

The humble respondent/State above named begs to submit as under:-

1. It is respectfully submitted that, the instant Public Interest Litigation, has been filed by the petitioner seeking direction from this Hon'ble Court to direct the concerned respondents to immediately provide substantial evidence and perform real time practical demonstration to prove the claimed particles are real physical entity as disease-causing particles called as virus or viruses; the living microorganisms i.e. bacteria, fungus, protozoa, nematodes & others causes disease/harm; furthermore the reality of immunity and immunization as per the claim & narrative of the medical microbiology respectively. That the petitioners attempts numerous correspondence with the respondents to get real evidence, but the respondents fails to provide and frequently admits that they have no evidence/record to prove the existence of alleged disease-causing viruses and other micro-organisms cause disease/harm to the alleged claimed hosts (eg. Human, animals & others). The germ theory of disease is the base of inhuman national health policies, waste of tax payers money, putting in danger to the human life in the name of prevention and control measures. Hence, absence of the proof of Germ theory of disease, the petitioners seeking to direct to immediate shutdown/withdraw the anti-scientific/fabricated/fictional practice and entire scope of medical microbiology.



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2. That, the petitioner, by way of instant petition prays for grant of following relief(s):

"10(A) A writ and/or an order and/or a direction to the respondents to perform a systematic real time practical demonstration (including wet and dry lab) at immediate action in the petitioner's occupied laboratory/venue to prove that, the claimed particles or microscopic depiction are disease-causing particles called as viruses in real scenario. Therefore to prove the obtainment and identification of the following allegedly claimed particles as disease-causing particles-

1. Alleged Flu viruses, 2. Alleged SARS-COV-2 virus particle, 3. Alleged HIV, 4. Alleged Measles virus, 5. Alleged Polio virus, 6. Alleged Hepatitis, A,B virus, 7. Alleged Rabies virus, 8. Alleged Small pox, 9. Alleged SARS-related virus, 10. Alleged Japanese encephalitis virus, 11. Alleged Ebola virus, 14. Alleged Bacteriophages and 15. Any virus, 12. Alleged Nipah virus, 13. Alleged plant other alleged disease-causing viruses, including other alleged host range i.e. plants & animals.

10(B) To issue a writ in nature of Mandamus directing to respondent no. 1 to 12, to prove that following microorganisms are disease-causing agents to human and other animals as host- bacteria, fungi, protozoa, prion, nematodes and any other claimed pathogenic microbes.

10(C) A writ and/or an order and/or a direction to the Respondents to close (shut down) all institutes, laboratories, Journals, Bioinformatics databases and its tools, workshops; where conducting all kind of practice based on germ theory of disease or alleged medical microbiology i.e. Virology, Bacteriology, Mycology, Phycology, Protozoology, Parasitology, Immunology, drug discovery/drug designing and others.

10(D) A writ and/or an order and/or a direction to the Respondents to terminate/withdraw/dismantle all the subjects, courses, study chapters, e-books, hard copies, digital study material, repositories, student's examination papers, laboratory manuals, equipments, reagents and machines, from the universities, colleges, schools and other educational(indoctrination) activities which are based on virology, immunology, medical microbiology/germ theory of disease/On the other words pass decree to



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terminate alleged virology, immunology and/or medical microbiology or germ theory of disease.

- 10(E) *A writ and/or an order and/or a direction to the respondent no. 1 to 4 to immediately provide the experimental scientific evidence as requested in the Open Legal Notice dated 02-07-2022 (for petitioner to consider a hearing to it) within 48 hours as per Indian Evidence Act, Section 76 in the interest of justice public at large.*
- 10(F) *To issue a writ in nature of mandamus directing to the respondents to withdraw Public health bill 2017(yet to be act) with immediate effect.*
- 10(G) *A direction to ban all types/kinds of vaccines, drugs (i.e. Tablets, capsules, intravenous & intramuscular injectable chemicals, oral drugs), immunotherapy or immunological therapy which are related to the germ theory of disease or medical microbiology.*
- 10(H) *To direct the respondents to provide real evidence that, (a) alleged particles identified as disease-causing viruses which are found in the original sample of claimed hosts as real physical entity, (b) other microorganisms causes disease to the claimed hosts, (c) proof of function of the immune system as per claims/narrative.*
- 10(I) *Any other relief which this Hon'ble Court deem fit in the facts & circumstances of case may also be granted.*
- 10(J) *Cost of the petition may also be awarded."*



PRELIMINARY SUBMISSIONS

3. It is respectfully submitted that, the present Public Interest Litigation is not maintainable at the behest of the petitioner, who is a Microbiologist, as the relief which the petitioner is claiming by way of the present Public Interest Litigation cannot be provided by way of the instant PIL. It is submitted that, in para 8.1 of the writ petition, the petitioner has stated that, the petitioner and associates are medical professional, health experts, doctors, Microbiologists, Bio-informatician, Biotechnologists and they have qualified the MBBS, MD, MBBS, M.S. BAMS, DHMS, relevant to the matter. It has further been submitted by the petitioner that, they have been practicing

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in different therapies like Ayurveda, Unani, Homeopathy and Naturopathy.

4. It is respectfully submitted that, it is clear from the cause-title of the instant writ petition, that the petitioner has filed the instant PIL in his own name and there is only one petitioner and therefore the para 8.1 of the writ petition itself is misleading.
5. It is submitted that, as per the information of the answering respondent, the petitioner is only a Microbiologist and he does not have any such expertise or scientifically proven evidence to lodge that, the germ theory of disease is the base of inhuman National Health Policy, waste of tax-payers' money and putting in danger human life in the name of prevention and control measures.
6. It is respectfully submitted that, the present matter relates to the complex field of Science, Medicine and Public Health Policy and the Hon'ble Court must differ it to the wisdom of the specialized bodies like Indian Council of Medical Research (ICMR), Central Drugs Standard Control Organization (CDSCO) and the World Health Organization. It is submitted that, the petitioner has no specialized knowledge or skill to allege that, the germ theory of disease is the base of inhuman National Health Policies. It is further submitted that, the petitioner has no legal right to pray for relief of performing a systematic real time practical demonstration in the petitioner's occupied laboratory/venue to prove that, the claimed particles or microscopic depiction are disease causing particles called as viruses in real scenario. It is submitted that, the relief claimed by the petitioner in the instant writ petition is not tenable in the eyes of law and the petitioner has no locus to file the instant PIL, which is directly connected to the complex field of Science, Medicine and Public Health Policy. It is submitted that, the present writ petition is liable to be dismissed on the ground of locus-standie as the instant petition is only based on the personal apprehension of the petitioner and it lacks genuine public interest and it constitutes a gross-abuse of the judicial process. It is submitted that, at the instance of the petitioner and the



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life of the general public cannot be put in danger by changing the established practice.

7. It is respectfully submitted that, by way of the present writ petition, the petitioner is seeking to challenge the established scientific doctrine such as the Germ Theory of disease and globally accepted Public Health Framework. It is submitted that, the Courts do not sit in judgement over academic, scientific or medical consensus, which fall strictly within the domain of specialised experts.
8. It is submitted that, the instant petition contains speculative, unverified and legally flawed pleadings without any sound, statutory backing or practical data.
9. It is respectfully submitted that, the instant petition is not maintainable at the behest of the petitioner without laying any foundational basis for alleging the facts without any proven scientific evidence.
10. It is submitted that, the instant petition is not maintainable only on the basis of few articles. It is submitted that, the petitioner is not a Scientist and he does not have any scientific proven knowledge or expertise to allege the facts stated in the instant petition.
11. It is respectfully submitted that, in the instant petition, the petitioner has alleged in para 8.2 of the writ petition that, he investigated all the nuanced/practice of the medical microbiology and found that, the human society is misguided by the unproven germ theory of disease. The petitioner should first prove his theory to the scientific world and PIL cannot be invoked make such allegations on the basis of personal misapprehensions.
12. It is respectfully submitted that, the health initiatives, laboratory protocols and vaccination drives deployed by the answering respondents are strictly rooted in the *Epidemic Diseases Act, 1897*, the National Health Policy and Clinical Validation by Agencies like ICMR and WHO. It is submitted that, the plea to dismantle or stop the established academic courses or Public Health Bills/Acts is absurd,



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legally untenable and it directly possesses a threat to National Public Safety.

13. It is submitted that, the State's policies governing Public Health, Medical Infrastructure & Disease Control measures are policy matters guided by experts and the Court should exercise judicial restraint in the matters of Public Policy and particularly in the present matter, which requires expert scientific evidence.
14. It is submitted that, the link between microorganism and disease is not a speculative theory, but a verified scientific fact established through rigorous experimental protocols.
15. It is submitted that, there is a scientific proof that, How Germ Theory is established, which is mentioned hereinbelow:-

"Koch's Postulates: This is the foundational medical standard used to prove a specific microbe causes a specific disease:

1. *The microorganism must be found in abundance in all organisms suffering from the disease, but should not be found in healthy organisms.*
2. *The microorganism must be isolated from a diseased organism and grown in pure culture.*
3. *The cultured microorganism should cause disease when introduced into a healthy organism.*
4. *The microorganism must be re-isolated from the inoculated, diseased experimental host and identified as being identical to the original specific causative agent.*

- **Modern Molecular Proof (Rivers' Postulates):** *For viruses (which cannot grow in standard non-living cultures), science uses nucleic acid detection (like PCR testing). Demonstrating the presence of viral DNA/RNA consistently in diseased tissues, and showing that the viral load correlates with the severity of the disease, satisfies modern legal and scientific standards of proof"*



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16. It is submitted that, there is further scientific proof that, Microbes Respond to Specific Drugs. It is submitted that, pharmaceutical products effectively target and mitigate these microorganisms, point to established clinical and laboratory testing protocols:-

“In Vitro Evidence (In the Lab):

○ **Antibiotic/Antifungal Susceptibility Testing (AST):**

Microorganisms isolated from patients are grown in culture plates and exposed to specific drug disks (e.g., the Kirby-Bauer disc diffusion method). Clear zones of inhibition (where the microbes die or stop growing) visually and measurably prove that the drug directly eliminates the pathogen.

- **Antiviral Assays:** Plaque reduction assays show that adding an antiviral drug drastically reduces viral replication in host cells.

- **In Vivo Evidence & Clinical Trials:** under Indian law, no drug or vaccine enters the market without passing rigorous Phase I, II, and III clinical trials. These trials generate empirical data comparing the drug against a placebo, statistically proving a significant reduction in microbial load and patient mortality.”

17. It is respectfully submitted that, there is **Statutory and Legislative Framework in India** *Pharmaceuticals Drugs & Cosmetics Act, 1940*. Copy of relevant part of the Drugs & Cosmetics Act, 1940. It is submitted that, this Act and its subsequent Rules strictly regulate the manufacturing, testing and approval of Antibiotics, Anti-virals and Biological Products (Vaccines). It is submitted that, the statutory existence of Schedule H, Schedule H1, Schedule X drugs is legal proof that, State recognizes the necessity of targeted pharmaceutical intervention against pathogens.

It is respectfully submitted that, **the Epidemic Disease Act, 1897** has been enacted in order to provide for the better prevention of the spread of dangerous epidemic disease and this Act is being used during outbreak of epidemic like Cholera, Plague, or COVID-19).



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That, **the Indian Pharmacopia** is an official medical document maintained by the Ministry of Health & Family Welfare and it sets mandatory legal/medical standards for the identity, purity, and strength of drugs, specifically categorizing agents as antibacterial, antifungal, or antiviral based on validated monographs. The Indian Pharmacopia (IP) is the official book of standards for the identity, purity, and strength of drugs manufactured, sold, and consumed in India. Published by the Indian Pharmacopoeia Commission (IPC), an autonomous institution under India's Ministry of Health and Family Welfare.

18. It is submitted that, the aforesaid Act gives the statutory power to the executives in order to prevent the spread of epidemics based on the threat of transmissible pathogens (viruses/bacteria). It is submitted that, the spread of epidemic disease and the manufacture and distribution of drugs is being done on the basis of the powers and procedures conferred by the Epidemic Disease Act, 1897 and the Drugs & Cosmetics Act, 1940 and the rules framed thereunder. It is further submitted that, the vaccines and other polio related oral drugs etc. are being administered to the patients etc. based on the guidelines issued by the Ministry of Health & Family Welfare, Government of India, and therefore petitioner has no legal right or even scientific knowledge or evidence to allege that, the proven practices, which are being done for so many years are futile and it did not achieve any result. Infact, it is a common fact that, administration of polio drops to the people of India has cured Polio to a large extent and which has benefitted the human society.

19. It is respectfully submitted that, the instant writ petition is prima-facie built upon a fundamental misapprehension of Biological Science and Public Health Realities. It is further submitted that, *"The link between pathogenic microorganisms (including viruses, bacteria, and fungi) and human disease is not an unverified scientific hypothesis, but an absolute, globally established medical fact verified through centuries of empirical research, microscopic isolation, and genomic sequencing."*



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20. It is respectfully submitted that, the petitioner has not disclosed that under what authority or on what basis of scientific knowledge or evidence or expertise, he has filed the instant petition. It is submitted that, the instant writ petition is of a very general nature and against the established practice and scientific evidence.
21. It is further submitted that, the instant petition is not maintainable at the behest of the petitioner and as such it could not be said that, the instant petition is for the benefit of general public. On the other hand, accepting the present instant Public Interest Litigation without any scientific evidence would be detrimental to the interest of general public. The present writ petition being devoid of merit and substance is liable to be dismissed.
22. That, in light of the submissions made herein above, no separate para-wise reply is being filed. However, the answering respondent craves leave of this Hon'ble Court to file a detailed para-wise reply, if so required.

Further, any allegation made in the writ petition which has not been specifically admitted herein above is hereby specifically and vehemently denied.

That an affidavit in support of this return is being filed herewith.

BILASPUR
DATE:- 02/09 / 2026


OFFICER-IN-CHARGE OF THE CASE


(SANGHARSH PANDEY)
GOVT. ADVOCATE
COUNSEL FOR THE RESPONDENT NO. 12/STATE



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IN THE HIGH COURT OF JUDICATURE AT BILASPUR

W.P.(PIL) NO. 07 OF 2026

PETITIONER

Jitendra Banjara

VERSUS

RESPONDENTS

State of Chhattisgarh & 11 Others

AFFIDAVIT

I, Dr. Khemraj Sonwani, S/o. Shri. Jagdish Sonwani, aged about 60 years, presently working as Deputy Director, Health, DHS, Raipur (CG), do hereby solemnly affirm on oath as under:-

1. That, I am the Officer-in-Charge of the case for answering respondent no. 12/State in the instant writ petition and in my capacity as such, had been dealing with the affairs connected with the same thereby being fully been conversant with the facts and circumstances thereof and am therefore, competent to swear this affidavit.
2. That, the content of the attached Return at paragraph 01 to 22 has been drafted as per my instructions and the contents thereof are true and correct to the best of my knowledge and belief.

[Signature]

DEPONENT

VERIFICATION

I, Dr. Khemraj Sonwani, the above named Deponent, do hereby verify that the contents of paragraphs- 1 to 2 of the above Affidavit are true and correct as derived from the official records and believed by me to be true.

Verified and signed on this nd02 day of September, 2026 at Bilaspur.

I identify the Deponent.

[Signature]

अभिज्ञान किया जाता है कि यह अभिज्ञान

[Signature]
DEPONENT

02 बाबू 01 मनु 26
Dr. Khemraj Sonwani
Deputy Director, Health, DHS, Raipur
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हस्ताक्षर
महानी इसमें न वे अधिकारी द्वारा
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02.09.26



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IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR (CG)
CASE NO. W.P. (P) NO. 07/2026

PETITIONER(S) : Jitendra Bawar

VERSUS

RESPONDENT(S) : Union of India 2023

VAKALATNAMA

Know all men by these presents that, I Dr Khemraj Sonwani
Deputy Director, Health Services, Raipur.
C.G.

& officer-in-charge of the case on behalf of the State of Chhattisgarh

1. Advocate General
2. Additional Advocate Generals
3. Deputy Advocate Generals
4. Government Advocates
5. Deputy Government Advocates

To appear for and represent the State of Chhattisgarh, petitioner / respondent in the above proceedings to conduct to do all necessary acts for the purpose whether I authorize the said counsel to file all petition and application on behalf of the State of Chhattisgarh/ petitioner / respondent No. State (12) to take statement, to examine witnesses, to file affidavit and documents, to pay process fees and diet money, to deposit and withdraw money and to do all acts and things necessary for conducting above case on behalf of the State of Chhattisgarh/petitioner/respondent No. State (12)

Further, I do hereby authorize the said counsel to engage other counsel for placers on behalf of the State of Chhattisgarh / petitioner / respondent No. State (12) to apply for and represent State of Chhattisgarh, in any other of superior Court.

Signed on this 02 Sept day of 2026 at Bilaspur, Chhattisgarh.

OFFICE ADDRESS:-

O/o The Advocate General,
High Court Campus, Bodri,
Tehsil Bilha, District Bilaspur (C.G.)
Mobile No.

Signature Dr Khemraj Sonwani

Name & Designation Dr Khemraj Sonwani

OFFICER-IN-CHARGE OF THE CASE

Spandley

(Spandley)
Above OIC is identified by me

COUNSEL FOR PETITIONER (S)/RESPONDENT (S)

(Name & Designation Saughash Pandey)

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