

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH  
AT SRINAGAR**

**WP(C) 2695/2025  
CM(7145/2025)**

**M/S SHIFA FOUNDATION**

Kirmani Abad, Lawaypora, Opp. All India  
Radio Station, Srinagar,  
Through its Proprietor:  
Tanveer Ahmad Sheikh aged: 35 years  
S/o: Ghulam Rasool Sheikh  
R/o Baghat-e-Shoor Srinagar.

**...Petitioner(s)**

Through: Mr. S.M. Ayoub, Advocate.

**Vs.**

1. **Union Territory Jammu & Kashmir** **...Respondent(s)**  
through Chief Secretary, Civil Secretariat,  
Jammu/Srinagar.
2. Secretary to Government, Department of  
Health & Medical Education, J&K  
Government, Civil Secretariat,  
Jammu/Srinagar.
3. District Registering Authority, Srinagar,  
through Chief Medical Officer, Srinagar.
4. Director General of Police, J&K (UT),  
Srinagar/Jammu
5. Senior Superintendent of Police, Srinagar.
6. Station House Officer, Police Station  
Shalteng, Srinagar.

Through: Mr. Waseem Gul, GA.

**CORAM:**

**Hon'ble Mr. Justice Wasim Sadiq Nargal, Judge.**

**ORDER**

03.11.2025

**01.** The learned counsel for the petitioner submits that the petitioner is the proprietor of M/S Shifa Foundation, a duly established and provisionally registered Drug De-addiction and

Rehabilitation Centre, which establishment has been duly registered by the Registering Authority under the provisions of the Clinical Establishments (Registration and Regulation) Act, 2010, after completing all the statutory formalities.

02. The learned counsel for the petitioner has placed on record provisional registration granted by the Designated Authority, a perusal whereof reveals that the certificate issued by the competent authority was valid from 31<sup>st</sup> July, 2024 to 30<sup>th</sup> July, 2025.

03. The learned counsel for the petitioner submits that the petitioner has applied well within time for extension/renewal of the said registration, but till date, the respondents have not taken a final decision in the matter and instead, the respondent Nos. 4 to 6 are harassing the petitioner and such unauthorized interference by the police amounts to harassment, intimidation and arbitrary abuse of power, thereby infringing the right of the petitioner to carry on lawful occupation in conformity with Article 19(1)(g) of the Constitution of India.

04. The learned counsel for the petitioner further submits that the Registering Authority was well within its right to take a final decision with respect to extension/renewal of the registration in favour of the petitioner as the petitioner has fulfilled all the statutory formalities and requirements envisaged under law and has paid the requisite fee well before expiry of the said registration, but till date, the respondents have not taken any decision on the application of the petitioner and on the other hand, the petitioner continues to be harassed by the police authorities and feeling aggrieved of the same, the petitioner has come forward with the institution of the instant writ petition.

05. The learned counsel for the petitioner submits that he would feel satisfied if the present writ petition is disposed of by directing the Registering Authority i.e. respondent No. 3 to take a

final decision in respect of the application filed by the petitioner for extension/renewal of the registration, within some reasonable timeframe.

**06.** On the asking of the Court, Mr. Waseem Gul, learned Government Advocate enters appearance on behalf of respondents and is not averse to the disposal of the present petition at this stage or else to the prayer made by the counsel for the petitioner. However, he submits that the case of the petitioner would be considered, provided the petitioner has fulfilled all the requisite formalities as envisaged under law and has paid the requisite fee.

**07.** **Heard learned counsel for the parties at length and perused the record.**

**08.** Since, an innocuous prayer has been made by the learned counsel for the petitioner, as such, no fruitful purpose would be achieved by keeping the instant writ petition pending and with the consent of the learned counsel for the parties, the present writ petition is taken up for final disposal at this stage and the same is accordingly disposed of with a direction to the respondent No. 3- District Registering Authority, Srinagar, through Chief Medical Officer, Srinagar, to take a final decision on the application preferred by the petitioner way back in July, 2025 for extension/renewal of the registration of his Drug De-addiction and Rehabilitation Centre, strictly as per law and the rules occupying the field, within a period of four weeks from the date copy of this order along with copy of writ petition and the annexures appended thereto, is made available to the said respondent.

**09.** It is made clear that till decision is taken on the application of the petitioner, *status quo* as it exists today, shall be maintained.

**10.** The order of consideration which is likely to be passed by the respondent No. 3- District Registering Authority, Srinagar,

through Chief Medical Officer, Srinagar, be provided to the petitioner through registered post.

**11.** Writ petition along with connected CM *disposed* of in the manner indicated above.

(Wasim Sadiq Nargal)  
Judge

**SRINAGAR:**  
03.11.2025  
"HAMID"

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|---|-------------------------------------|----------------|
| ❖ | <i>Whether Order is Speaking?</i>   | <i>Yes/No.</i> |
| ❖ | <i>Whether Order is Reportable?</i> | <i>Yes/No</i>  |

