

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

WP(C) No. 3687/2025

**Residents of Panchayat Bandhar
through Arshad Ahmed
S/O Mohd Yousaf
R/O Village Bandhar,
Tehsil and District Reasi.**

.....Appellant(s)/Petitioner(s)

Through: Mr. Sandeep Singh, Advocate

Vs

**1. Union Territory of Jammu &
Kashmir through Secretary to
Government,
Health and Medical Education
Department,
Civil Secretariat, Jammu.**

..... Respondent(s)

2. Director Health, Jammu.

3. Chief Medical Officer, Reasi.

4. Block Medical Officer, Pouni

Through: Mr. Raman Sharma, AAG with
Ms. Chetna Manhas, Advocate

CORAM: HON'BLE MR. JUSTICE M A CHOWDHARY, JUDGE

**ORDER
(07.02.2026)**

1. The petitioners, who are residents of Panchayat Bandhar, have filed the present petition through one Arshad Ahmed S/O Mohd. Yousaf, R/O Village Bandhar, Tehsil and District Reasi, statings that pursuant to the sanction

granted for a Health Sub-Centre at Village Bandhar, Tehsil Thakrakote, on 17.11.2014, the said Sub-Centre has been operating from a private house belonging to one Qasim Din S/O Late Ghulam Nabi, R/O Village Bandhar, Tehsil Thakrakote, who had donated a piece of land measuring 2 kanals, falling under Khasra No. 86, situated at Village Bandhar, Tehsil Thakrakote, District Reasi, for the purpose of construction of the building of Health Sub-Centre, by executing an affidavit dated 19.11.2019, attested by the Tehsildar, Thakrakote, to donate his land in question.

2. The grievance of the petitioners is that the functionaries of the Health Department are now trying to construct the Health Sub-Centre on some State or Government land. In this direction, the Block Medical Officer, Pouni, has taken up the matter with the Tehsildar, Thakrakote, for identification of suitable land out of State/Government for construction of the Health Sub-Centre.
3. Learned counsel appearing for the petitioners contend that the land donated by Qasim Din is centrally and ideally located within the village and is, therefore, convenient for patients and residents of the area to desire the benefits of the Health Centre that under the pretext of raising construction on State or Government land, the Health Sub-Centre is likely to be shifted outside the village, which

would cause inconvenience to the residents. It is further contended that no useful purpose would be served in shifting the Sub-Centre when land measuring 2 kanals has already been donated 'free of cost' to the Health Department for the said purpose.

4. Objections have not been filed so far. However, learned counsel appearing for the respondents-Health Department has produced photocopies of a communication dated 09.01.2026, addressed by the Block Medical Officer, Pouni, to the Chief Medical Officer, Reasi, regarding the status of the Health Sub-Centre, Bandhar communication to Mr. Raman Sharma, learned AAG. It is stated therein, that the Sub-Centre is being operated from a single mud-made room situated in the house of one Mohd. Rashid. It is further stated that construction of a new Health Sub-Centre building has been approved under the District Capex Budget, 2025-26, by the Chief Medical Officer, Reasi, and forwarded to the Director, Health Services, Jammu, along with the status report submitted by the Block Medical Officer.
5. Learned counsel for the petitioners submits that the petitioners would be satisfied if the present petition is disposed of at this stage, with a direction to the respondents to consider the plea raised by the residents for construction of the Health Sub-Centre at Bandhar on

the land donated to Health Department 'free of cost' by Qasim Din, instead of shifting the Sub-Centre to any other State or Government land.

6. Learned counsel for the respondents has submitted that the respondents are not averse to the plea of consideration by learned counsel for the petitioners and has prayed that appropriate orders be passed in view of the pleadings and submissions made at the Bar.
7. Having regard to the facts and circumstances of the case and the submissions made by learned counsel for the parties, the petition is disposed of at this stage, with a direction to the respondents to consider the plea raised by the petitioners for construction of the building of the Health Sub-Centre Bandhar at a centrally located place, keeping in view that land for the said purpose has already been donated 'free of cost' by one Qasim Din. The respondents shall also keeping in view that shifting the Sub-Centre to any other location on the plea of availability of State or Government land, may cause not inconvenience to the residents.
8. The petitioners shall provide a copy of the petition along with a certified copy of this order to the concerned officers, whereupon, the respondents shall take a decision expeditiously. Till a decision is taken by the authorities

the Health Sub-Centre shall continue to function at its present place.

9. Petition, is thus, ***disposed of***, along with connected application(s).

(M A CHOWDHARY)
JUDGE

Jammu
07.02.2026
Amit

