

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**Civil Writ Petition No. 24844 of 2016 (O&M)
Date of Decision: 11.09.2018**

Reality Foundation Counseling and Rehabilitation
Center, Kharar, Mohali through its Director Rajbeer Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Sapan Dhir, Advocate
for the petitioner.

Mrs. Sudeepti Sharma, Additional Advocate General, Punjab
for respondent Nos. 1 to 5/State.

Respondent No. 6-Dr. Aditya Avinash Kaushik, in person,
appointed as *Amicus Curiae* by Court
in **PIL-CWP No. 20359 of 2013**.

Ms. Reeta Kohli, Senior Advocate as *Amicus Curiae*, alongwith
Ms. Chahat Aggarwal, Advocate in **CRWP No. 87 of 2018**.

JASWANT SINGH, J. (ORAL)

The petitioner-Society was operating a De-addiction-cum-Rehabilitation Centre at Kharar, District Mohali, under a licence obtained under the Punjab Drug De-addiction Rules, 2011 (in short 'the 2011 Rules').

By filing the present writ petition, the petitioner has challenged the order dated 09.11.2016 (**Annexure P-14 colly**), whereby on the inspection conducted by Dr. Aditya Avinash Kaushik, Deputy Director, Social Justice and Empowerment, Haryana, the premises of the Centre was sealed and the recommendation for registration of an FIR for violation of 'the 2011 Rules' as well as the State Mental Healthcare Act, 1987, was

Dr. Aditya Avinash Kaushik, *Amicus Curiae*, against whom, *mala fide*/alleged allegations were made, has also been arrayed as party respondent No. 6 herein.

Upon notice, separate replies have been filed by the State of Punjab and private respondent No. 6 (Dr. Aditya Avinash Kaushik).

In compliance of the orders passed by this Court, even a status report was filed, indicating the existing factual situation, not only in the instant Centre, but also in the De-addiction Centres existing within the State of Punjab.

At the time of previous hearing on 10.07.2018, an oral allegation was made against the aforesaid private respondent No. 6 with regard to the alleged demand of illegal gratification from certain people connected with the petitioner-Centre. This Court had directed the petitioner to file necessary documents in support of such allegations. It was also noticed that in case the allegations made by the petitioner are found false, exemplary costs would be liable to be imposed.

At the time of resumed hearing today, counsel for the petitioner, on instructions from his client, who is present in Court, tenders an unconditional apology, while withdrawing the allegations made against Dr. Aditya Avinash Kaushik. He further submits that he has instructions to make an unconditional withdrawal of the present writ petition, as the De-addiction Centre of his client stands closed since the year 2016, and is no longer desirous of seeking renewal of the licence, which, in any case, would be subject to fulfilling the parameters under the statute concerned.

It is quite unfortunate that such serious allegations were made against the *Amicus Curaie* in casual and irresponsible manner, however, Dr.

Aditya Avinash Kaushik (respondent No. 6) has very graciously let bygones be bygones in view of the material placed on record, as also unconditional oral apology. It is evident that Dr. Aditya Avinash Kaushik has indeed completed his duty as *Amicus Curaie* in the most competent, efficient and effective manner.

In view of the request made by the counsel for petitioner for withdrawal of the present writ petition, nothing more survives for adjudication in the matter.

'Disposed of as Infructuous'.

The petitioner-Society would be free to seek the de-sealing of its premises in accordance with law, however, subject to prior payments of costs of ₹ 25,000/- (Twenty Five Thousand only) towards '*Chief Minister's Distress Relief Fund payable at Trivenderampuram*' as a condition precedent.

September 11, 2018

'dk kamra'

**(JASWANT SINGH)
JUDGE**

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>