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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 348/2018**

**M/S SAFE HOUSE WELLNESS RETREAT
PVT LTD**

..... Petitioner

Through: Mr Sameer Jain, Ms Anu Sura and Mr
Angad Sandhu, Advocates.

versus

**STATION HEAD OFFICER FATEHPURBERI POLICE
STATION NEW DELHI AND ORS**

..... Respondents

Through: Ms Hetu Arora Sethi, Addl. Standing
Counsel for R-1 & 2.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **16.01.2018**

CM No. 1422/2018

1. Exemption is allowed, subject to all just exceptions.
2. The application stands disposed of.

W.P.(C) 348/2018 and CM No. 1423/2018

3. The petitioner company runs a de-addiction centre in a farm house bearing no. A-6, Farm House near Shani Dham Mandir, Asola, New Delhi and has filed the present petition impugning a notice dated 11.01.2018 (hereafter 'the impugned notice').

4. By the impugned notice, the petitioner has been called upon to submit a valid license/registration certificate to run a de-addiction centre failing which to provide an undertaking to shut down the de-addiction centre by 12 Noon on 12.01.2018.

5. The learned counsel appearing for the petitioner had contended that there is no statutory framework or guidelines under which the registration certificate is granted to run a de-addiction centre and, therefore, the petitioner cannot be called upon to provide any registration/NOC.

6. The learned counsel for respondents states that the impugned notice was issued pursuant to the order dated 30.10.2017 passed by a Division Bench of this Court in “*Nikhil Borwankar v. State of NCT of Delhi & Anr.: W.P.(C) 8217/2017*”. She further states that the respondents are not taking any steps to forcibly shutting down any centre as yet and are only taking steps for mapping the de-addiction centres as directed by the Division Bench.

7. It is seen from the order dated 30.10.2017 passed in *Nikhil Borwankar (supra)* that the principal concern of the Division Bench was regarding the manner in which de-addiction centres were to be run and the lack of necessary regulations for regulating such activities. The Court found that in a particular case a de-addiction centre was running without any doctor or psychologist and certain inmates had been held contrary to their will.

8. In view of the issues noted by the Division Bench in that matter, it would be apposite for the petitioner to respond to the show cause notice by providing complete details as to (a) the number of inmates; (b) the number of staff including the doctors and psychologists, if any, engaged by the petitioner; (c) drug license, if any, secured by the petitioner; and (d) municipal permissions for running a de-addiction centre in a farm house.

The petitioner would also file an affidavit unequivocally stating that whether any inmate is held without his/her free will. The response shall be furnished to the concerned authorities within a period of one week from today.

9. Since the learned counsel for respondents states that no steps are being taken to immediately shut down the petitioner's or any other similar de-addiction centres awaiting certain directions from the Division Bench; no further orders are required to be passed in respect of the impugned notice in this petition.

10. The petition and the pending application are, accordingly, disposed of.

VIBHU BAKHRU, J

JANUARY 16, 2018
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