

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

202

CWP-6306-2020

Date of decision: 15.06.2020

Ranbir Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Dr. Ranbir Singh, petitioner in person.

Ms. Lavanya Paul, Asstt. A.G., Punjab
for respondents No.1 and 2.

ARUN KUMAR TYAGI, J (ORAL)

The case has been taken up for hearing through video conferencing.

The petitioner has filed the present petition under Article 226/227 of the Constitution of India for the issuance of a writ in the nature of mandamus directing respondent No.1 to comply with notification bearing No.12/13/2017-5HB5/1433469/1 dated 05.03.2019 for constituting District Mental Health Review Boards in every district of Punjab and ensuring their proper functioning as per the provisions of the Mental Health Care Act, 2017 (for short, "the 2017 Act") and to direct respondent No.2 to decide at the earliest the application filed by the petitioner under Section 14 of the 2017 Act which is pending with respondent No.2 since 12.02.2020.

Notices issued to respondents No.3 and 4 have been received back unserved with the report that due to lockdown service could not be effected. In view of the facts and circumstances of the case, their presence is considered to be unnecessary and service of

notice on them is dispensed with.

Learned State counsel has submitted that the District Mental Health Review Board is already functional in District Jalandhar and heard the matter in its meeting held on 10.06.2020 in the presence of the petitioner and his parents and dismissed the application filed by the petitioner while holding that the parents of the petitioner are of sound mind and in view of the same, the present petition has become infructuous.

Learned State counsel has also sent copy of the proceedings of meeting dated 10.06.2020 of the Mental Health Review Board, Jalandhar through e-mail print out of which is taken on record.

The petitioner has not disputed this factual position but submitted that the Mental Health Review Board, Jalandhar did not follow the prescribed procedure and proceedings dated 10.06.2020 suffer from patent illegalities.

In view of the fact that the Mental Health Review Board is already functional in District Jalandhar and dismissal of the application filed by the petitioner by it vide proceedings dated 10.06.2020, the present petition has become infructuous and is disposed of accordingly with liberty to the petitioner to raise all his objections against the same by way of appropriate proceedings, if so desired.

15.06.2020

Vinay

(ARUN KUMAR TYAGI)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No