

**HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

102

**CWP-16351-2020(O&M)**

**Date of decision:07.10.2020**

Dr. Manisha Singhal

...Petitioner

Versus

State of Haryana and others

..Respondents

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. R.C. Sharma, Advocate for the petitioner.

**ARCHANA PURI, J(ORAL)**

The matter has been taken up through video conferencing in the light of the COVID-19 pandemic.

The present petition has been filed thereby seeking writ in the nature of mandamus thereby directing respondent no.2 to decide and pass the final order in appeal dated 22.12.2016 (Annexure P-3) preferred by the petitioner against the order dated 28.10.2016 (Annexure P-2) thereby terminating M.T.P. Centre of the petitioner under the provisions of Medical Termination of Pregnancy Act, 1971.

The grievance of the petitioner is that she is a medical practitioner running her medical centre in the name of Singhal Hospital, Ram Nagar, Assandh, District Karnal. However, show cause notice dated 22.09.2016 (Annexure P-1) under Section 20(1) of PC & PNDT Act, was issued to her in pursuance of the visit of the team of the concerned authorities to her institution. She was afforded by an opportunity of personal hearing. However, the reply was declared to be unsatisfactory. Thereafter another inspection was conducted by the team on 14.09.2016 and 15.09.2016 by the same officers

under PC & PNDT Act and then also, it was stated that reply filed was not satisfactory and ultimately, on 26.10.2016, the District Appropriate Authority (PNDT)-cum-Civil Surgeon, Karnal suspended the petitioner's registration under the PC & PNDT Act, 1994 and sealed the USG Machine, installed at her centre. Then, MTP centre in the hospital of the petitioner was terminated on 28.10.2016. Even the FIR was registered against the petitioner on 1.11.2016. Qua the aforesaid termination order dated 28.10.2016, an appeal had been filed. However, the grievance of the petitioner is that even though, in the said appeal, arguments have been heard but the same is not being disposed of. On account of this, hardship is being faced by the petitioner.

Notice of motion.

Mr. Pawan Longia, Dy. Advocate General, Haryana, has made appearance on behalf of the State and submits that he has no objection if the time bound direction is given for the disposal of the appeal.

Looking at the duration of the time, since when, the proceedings have been conducted and even after hearing of the arguments, appeal is not being disposed of, therefore, considering the same and without prejudice to the rights of the parties, to be adjudicated in the appeal, the present petition is hereby disposed of with a direction to the respondents to look into the matter and to dispose of the appeal, if arguments so heard or to hear the arguments, expeditiously and dispose of the same within a period of two months from the receipt of certified copy of this order.

Accordingly, the writ petition stands disposed of.

07.10.2020  
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**(ARCHANA PURI )**  
**JUDGE**

Whether speaking  
Whether reportable?

Yes  
No