

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (PIL) No. 105 of 2020**

Bhagat Ram Sharma S/o Late Munshi Ram Sharma, Aged About 52 Years R/o Ward No. 15, Officers Colony, Sakti, District Janjgir Champa Chhattisgarh

---- **Petitioner****Versus**

1. State of Chhattisgarh Through The Secretary, Department of Public Welfare, Mahanadi Bhawan, Mantralaya, Atal Nagar, New Raipur Chhattisgarh
2. Union of India, Through Its Secretary, Ministry of Health And Public Welfare, New Delhi
3. National Medical Commission, Through Its Chairman, Pocket-14, Sector-8, Dwarka Phase- I, New Delhi
4. Chhattisgarh State Medical Council Through Its Registrar, First Floor, Dr. Balmukund Sharma Clinic, Kankalipara, Near Nagar Nigam Ayurvedic Hospital, Raipur Chhattisgarh
5. Chhattisgarh Ayurvedic Tatha Unani Tatha Prakritic Chikitsa Board, Through Its Registrar, Old Nurses Hostel, D K Hospital, Behind Lal Ganga Complex, Raipur Chhattisgarh
6. Sparsh Multispeciality Hospital, Through Its Director Shivanand Sahu Ward No. 14, Baradwar Road, Sakti, District Janjgir Champa Chhattisgarh
7. Dr. Roop Narayan Sahu, Director, Sparsh Multispeciality Hospital, Ward No. 14, Baradwar Road, Sakti, District Janjgir Champa Chhattisgarh

---- **Respondents**

For Petitioner	: Shri Ali Asgar, Advocate
For Respondent/State	: Shri Sudeep Agrawal, Deputy Advocate General
For Respondent/UOI	: Shri Ramakant Mishra, Assistant Solicitor General
For Respondent No.3 & 5	: Shri Ranbir Singh Marhas, Advocate
For Respondent No.4	: Shri Vaibhav A. Goverdhan, Advocate
For Respondent No.6 & 7	: Shri Anup Majumdar, Advocate

Hon'ble Shri P. R. Ramachandra Menon, Chief Justice
Hon'ble Shri Parth Prateem Sahu, Judge

Order on Board**Per P. R. Ramachandra Menon, Chief Justice****20.01.2021**

1. The Petitioner has moved this Court with the following prayers :

“10.1 That the respondent authorities be directed to conduct an inquiry with regard to the functioning respondent No.6 hospital and to take appropriate action against concerned if found guilty.

10.2 That the State authorities be directed to ensure across the state that BAMS & BHMS doctors & other unqualified people don't practice Allopathy beyond the

prescribed guidelines and private hospital be directed not to employ BAMS, BHMS etc physicians as alternate to MBBS doctors.

10.3 That any other relief which this Court thinks fit in the interest of justice & equity.”

2. When the matter came up for consideration on the lat date i.e. on 13.01.2021, this Court expressed a doubt as to the maintainability of the petition as a 'Public Interest Litigation' as some personal interest was revealed with reference to the pleadings.
3. Today, when the matter is taken up for consideration, the learned counsel for the Petitioner submits that notwithstanding filing of I.A. No.02 of 2021 by the Petitioner for causing the names of Respondents No.6 and 7 to be deleted from the cause-title, the Petitioner may be permitted to withdraw the matter without prejudice to the rights and liberties to file proper proceedings in accordance with law.
4. Permission is granted.
5. The writ petition is dismissed as withdrawn with aforesaid liberty.
6. The Registry is directed to return the security deposit to the Petitioner.

Sd/-
(P. R. Ramachandra Menon)
Chief Justice

Sd/-
(Parth Prateem Sahu)
Judge