

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

208

**CWP-12512-2017
Date of decision: 31.10.2022**

MANOJ KUMAR & ANOTHER

.....Petitioners

VERSUS

UNION OF INDIA & OTHERS

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present:- None for the petitioners.

Mr. C.M. Sharma, Senior Panel Counsel
for respondent No.1-Union of India.

Mr. Pankaj Mulwani, DAG, Haryana.

Mr. Amit Jain, Advocate
for respondent No.3.

VINOD S. BHARDWAJ, J. (Oral)

The present petition had been filed under Article 226/227 of the Constitution of India, 1950 for seeking issuance of directions in the nature of Mandamus to the respondents to expedite the process of formation of a Paramedical Central Statutory Council. An alternative prayer had also been made directing the respondents to decide the representation of the petitioners for redressal of their grievances.

Briefly summarized, the case of the petitioners is that they are associate members of Joint Forum of Medical Technologists of India (JFMTI) and that there is no statutory Council or regulatory body for affiliation, recognition, registration of Medical Laboratory

Technology and there is also no statutory mechanism for prevention of mushrooming of private Medical Laboratory Technology educational institutions that are being run extensively for commercial interest without any statutory obligation. It has been pointed out that the laboratory professionals are now a major tool for proper diagnosis, treatment and health services and it has become one of the most important sectors impacting the lives of millions. The same has opened up numerous employment opportunities and the lack of statutory mechanism to regulate such laboratories is likely to have a catastrophic effect. It is contended that a representation in this regard was submitted with the authorities on 21.04.2017 (Annexure P-6) and that the respondents-authorities may look into the said representation.

Written reply on behalf of respondent No.1-Union of India has already been filed.

Learned counsel appearing on behalf of the State of Haryana contends that since the petitioners have made an alternative prayer that their representation may be decided, it would be appropriate in case the present petition is disposed of allowing the members of the petitioner-association to represent their grievance to the Secretary, Department of Health, Government of Haryana whereupon the same shall be considered in accordance with law including the feasibility of the said grievance and the necessity for appropriate regulations.

Accordingly, the present petition is disposed of allowing the petitioner to approach the Secretary, Department of Health, Govt. of Haryana within a period of 01 month. Upon the petitioner so approaching, the Secretary, Department of Health, shall consider the grievance of the petitioner as raised in the representation as well as in

the present petition and may take an appropriate decision as is warranted, as expeditiously as is deemed appropriate.

Petition is disposed of accordingly.

(VINOD S. BHARDWAJ)
JUDGE

OCTOBER 31, 2022

Vishal sharma

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