

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

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**CWP-697-2022 (O&M)
Date of Decision:-01.02.2022**

Gurkirpa Nursing Home ...Petitioner

Versus

State of Punjab and another ... Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:- Mr. M.S. Kathura, Advocate
for the petitioner.

RAJ MOHAN SINGH, J.(Oral)

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

Petitioner has preferred this writ petition for issuance
of an writ in the nature of mandamus, directing the respondents
to de-seal the premises of the petitioner at the earliest.

Learned counsel for the petitioner submits that while
passing the order dated 08.07.2021, the District Appropriate
Authority/Chairman, PC and PNDT Act/Civil Surgeon, Hoshiarpur

has observed that if any qualified doctor claims his right over the institution, he may contact the District Appropriate Authority personally along with all relevant documents and in such eventuality the building will be de-sealed. The grievance of the petitioner is that the petitioner being a qualified doctor made a request before the aforesaid District Appropriate Authority, District Hoshiarpur for de-sealing of the Gurkirpa Nursing Home, Garhshankar along with all relevant documents on 28.07.2021 and his request has not been adhered to so far. Ultimately, the petitioner got issued a legal notice dated 28.11.2021 and the same has not been attended to so far.

At this stage, learned counsel for the petitioner submits that the petitioner would be satisfied in case his pending representation/legal notice dated 28.11.2021 is directed to be decided by respondent No.2 within a specified period.

Notice of motion.

On the asking of the Court, Mr. T.P.S. Chawla, D.A.G., Punjab accepts notice on behalf of the respondent-State.

This petition is disposed of by directing respondent No.2 to have a look on the grievance of the petitioner and decide the pending representation strictly in accordance with law without being influenced by any statement of fact recorded hereinabove.

It would be appreciated in case appropriate decision is taken within a period of one month from the date of receipt of certified copy of this order.

Disposed of.

01.02.2022

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(Raj Mohan Singh)
Judge

Whether speaking /reasoned

Whether Reportable

Yes / No

Yes / No