

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

CWP-1250-2023

Date of Decision: 25th January, 2023

Sankalp Psychiatric and Drug Dependence Treatment Hospital
... Petitioner

Versus

The State of Haryana and others ... Respondents

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Anil Mehta, Advocate for the petitioner.

Mr. Sharad Aggarwal, Assistant Advocate General, Haryana.

AVNEESH JHINGAN , J.(Oral)

This writ petition in the nature of Certiorari is filed for quashing of order dated 18.1.2023 (Annexure P-5) passed by District Level Committee (for short 'the Committee') suspending the functioning of the petitioner-hospital.

The grievance raised is that only licensing authority can cancel the licence, in another words, interim steps can only be taken by the licensing authority and the Committee is not the licensing authority.

Learned State counsel on instructions is not in a position to dispute the fact that the decision of cancellation of the licence is to be taken by the licensing authority. He, however, submits that during the inspection serious discrepancies were found and even the doctor whose name was mentioned in the licence had left the hospital, it would not be in the public interest that the hospital continues its functioning.

At this stage, without commenting upon the merits of the contention raised by learned counsel for the petitioner, this petition is disposed of with a direction to the petitioner to appear on 30.01.2023 at 11:00 am in the office of licensing authority-respondent No.3, who will pass an appropriate order considering the facts of the case, after providing an opportunity of hearing to the petitioner.

There is no doubt that the matter would be considered in accordance with law expeditiously.

Needless to say that the petitioner would be at liberty to avail remedies in accordance with law for redressal of surviving grievance, if any.

(AVNEESH JHINGAN)
JUDGE

25th January, 2023
anuradha

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