

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

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**(I) CWP-27354-2022
Date of Decision : March 04, 2025**

MADAAN HOSPITAL AMRITSAR -PETITIONER

V/S

UNION OF INDIA AND ORS. -RESPONDENTS

(II) CWP-27355-2022

AKASHDEEP HOSPITAL AMRITSAR -PETITIONER

V/S

UNION OF INDIA AND ORS. -RESPONDENTS

(III) CWP-4266-2022 (O&M)

GUPTA MULTI SPECIALITY HOSPITAL -PETITIONER

V/S

UNION OF INDIA AND ORS. -RESPONDENTS

(IV) CWP-4375-2022

LIFE KARE HOSPITAL -PETITIONER

V/S

UNION OF INDIA AND ORS. -RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Akshay Bhan, Sr. Advocate with
Mr. Abhijeet Singh Rawaley, Advocate
for the petitioner (in CWP-27354-2022 & CWP-27355-2022)

Mr. Gautam Dutt, Advocate
for the petitioner (in CWP-4266-2022 & CWP-4375-2022)

Mr. Narender Kumar Vashist, Sr. Panel Counsel
for the respondents-U.O.I.
(in CWP-27354-2022 & CWP-27355-2022)

Mr. Parvesh K. Saini, Sr. Panel Counsel
for the respondents-U.O.I.
(in CWP-4266-2022 & CWP-4375-2022)

KULDEEP TIWARI, J. (ORAL)

1. All these writ petitions are amenable for being decided through a common verdict on account of their encompassing a common grievance generating from petitioners' dis-empanelment from the Ex-Servicemen Contributory Health Scheme (ECHS).

2. The principal argument constructed by the learned senior counsel for the petitioners, in his assailing the impugned dis-empanelment orders, is that, the impugned dis-empanelment orders have been drawn without following the principles of natural justice and without making compliance of the procedure prescribed in the memorandum of agreement, which became entered into between the parties and which governs the terms and conditions of empanelment. Moreover, the impugned dis-empanelment orders are totally non speaking orders inasmuch as the maker(s) thereof has not assigned any reasons in support of the conclusion drawn therein.

3. Although the learned counsels appearing for the respondents submit that, due procedure has been meticulously followed in the cases at hand inasmuch as proper inquiry(ies) has been conducted and even opportunity of cross-examination has also been provided to the petitioners, however, they fairly concede that the impugned dis-empanelment orders neither display any reason for arriving at the conclusion reached nor make any reference to the procedure adopted by the respondents.

4. In view of the above, since the impugned dis-empanelment orders are non speaking orders, therefore, the same are hereby **set aside**

and the matter is remanded to the competent authority, amongst the respondent(s), to make a fresh adjudication thereof by passing speaking and well reasoned order(s), but, after giving due opportunity of hearing to the petitioners. It is expected that, the authority concerned would complete this exercise within four months from today. It is also expected that, the petitioners would not adopt any dilatory tactics.

5. Needless to say, in case, the due procedure, as required to be followed, has already been followed by the authority concerned, it shall proceed in the matter from the stage requiring grant of opportunity of hearing to the petitioners.

6. Disposed of accordingly.

7. Pending application(s) stand disposed of accordingly.

8. A photocopy of this order be placed on file of each connected case.

March 04, 2025
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No