

(2010) 10 UK CK 0016

In the Uttarakhand High Court

Case No : Writ Petition No. 1738 (M/S) of 2010

Biddut Chandra Bhakta

APPELLANT

Vs

State of Uttarakhand and Others

RESPONDENT

Date of Decision : 06-10-2010

Acts Referred:

Citation : (2010) 10 UK CK 0016

Hon'ble Judges : Brahma Singh Verma, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

B.S. Verma, J.—Heard Mr. Vikas Pandey, learned Counsel for the Petitioner and Mr. P.C. Bisht, learned Brief Holder on behalf of Respondents 1, 3 and 4.

2. By means of this petition the Petitioner has sought the following relief-

(1) To issue a writ, order or direction in the nature of mandamus directing the Respondents to register the Petitioner as Community Medical Services Practitioner.

(2) To issue a writ, order or direction in the nature of mandamus commanding the Respondents not to interfere in the peaceful practicing of the Petitioner as Community Medical Services Practitioner.

(3) To issue a writ, order of direction in the nature of mandamus commanding the Respondents not to harass and not to take any coercive measures against the Petitioner.

(4) To issue any other writ, order or direction which this Hon"ble Court may deem fit and proper in the nature and circumstances of the case.

3. During the course of argument, learned Counsel for the Petitioner has submitted that the Petitioner may be given liberty to make fresh representation before the Respondent No. 2, apart from the representation already made by

him, and direction be issued to the Respondent No. 2 to decide the representation of the Petitioner by a speaking and reasoned order. Prayer made is innocuous.

4. In view of above, liberty is given to the Petitioner to make fresh application/representation before Respondent No. 2 and he shall also file his original certificates before the authority concerned, which entitle him for registration as Community Medical Services Practitioner. If the application/representation is made by the Petitioner within a period of one month from today along with certified copy of this order as well as the requisite documentary proof, in support thereof, the authority concerned shall decide the application/representation of the Petitioner in accordance with law, by a speaking and reasoned order, preferably, within a period of six weeks thereafter, from the date of production of certified copy of this order.

5. With the above observation, the writ petition is disposed of finally.