

(2010) 08 UK CK 0078
In the Uttarakhand High Court

Tula Ram and Another

APPELLANT

Vs

State of Uttarakhand and Others

RESPONDENT

Date of Decision : 20-08-2010

Acts Referred:

Citation : (2010) 08 UK CK 0078

Hon'ble Judges : Brahma Singh Verma, J

Bench : Single Bench

Judgement

B.S. Verma, J.—Heard learned Counsel for the parties and perused the record.

2. By means of this writ petition, the petitioners have sought a writ in the nature of mandamus directing the respondents to register the petitioner No. 1 as Electro Homeopathic Practitioner and petitioner No. 2 as Registered Medical Practitioner.

3. The petitioners claim that the petitioner No. 1 Tula Ram had passed Electro Homeopathic Practitioner from N. Electro Homeopathic Medicos of India, New Delhi and the petitioner No. 2 is registered medical practitioner from Institute of Alternative Medicines, Calcutta and they are practising since the years 1984 and 1998 respectively. The petitioners claim that they had already applied for their registration with respondent No. 2.

4. The grievance of the petitioners is that the respondent No. 2-Bhartiya Chikitsa Parishad, Uttarakhand, Dehradun is not inclined to register the petitioners with it and the application moved by the petitioners for their registration is pending for disposal with respondent No. 2.

5. In the course of arguments, learned Counsel for the petitioners has submitted that the ends of justice would be served if a direction is issued to the respondent No. 2 to decide the application of the petitioners with a reasoned and speaking order.

6. On 4-8-2010, this Court has granted interim order in favour of the petitioners thereby it has been provided that the respondents shall not interfere with the

practising of the petitioners as Electro Homeopathic Practitioner and as Registered Medical Practitioner respectively in the State of Uttarakhand.

7. In the above facts and circumstances of the case, liberty is given to the petitioners to make a fresh application separately before the respondent No. 2 and they shall also file their original certificates before the authority concerned, which entitle them for registration in the State of Uttarakhand, as sought by them. If the application is made by the petitioners within a period of one month from today along with requisite documentary proof in support thereof, as above, the authority concerned shall decide the applications of the petitioners in accordance with law by a speaking and reasoned order, expeditiously, preferably within a period of six weeks thereafter from the date of production of a certified copy of this order. In case the petitioners make fresh applications, as directed above, the interim order dated 4-8-2010 shall continue until their applications are decided by the respondent No. 2.

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