



(B)

**BEFORE THE HON'BLE HIGH COURT OF JAMMU AND
KASHMIR AND LADAKH AT JAMMU**

WP (C) no. 574 / 2024

MEMO OF PARTIES

Dr Sumeet Singh,

age 37 years,

S/o Surta Singh

R/o Owner & Incharge

Aas Neuropsychiatric De- Addiction

and pain management clinic, Kali Bari Kathua J&K.

...Petitioner

VERSUS

1. **Union Territory of J&K,**
through Principal Secretary Health & FW
Civil Secretariat, Jammu/ Srinagar.
2. **Deputy Commissioner/ DM Kathua**
DC office, Kathua.
3. **SSP, Kathua**
DPO Kathua.
4. **Distt Registration Authority, Kathua**
/Chief Medical Officer
Heart & Family Welfare Kathua.
5. **Asst Drug Controller Kathua**
Kathua.
6. **Drug Control Officer Kathua**
Kathua.

... Respondents

True Copy Attested


Assistant Registrar

High Court of J&K and Ladakh
Jammu
1917/24

Serial No. 237

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

WP(C) No. 574/2024

Sumeet Singh

.....Appellant(s)/Petitioner(s)

Through: Mr. Aseem Kumar Sawhney, Advocate.

vs

UT of J&K and others

..... Respondent(s)

Through: Ms. Sagira Jaffer, Advocate vice
Mr. Raman Sharma, AAG.

Coram: HON'BLE MR. JUSTICE MOHD. YOUSUF WANI, JUDGE

ORDER
08.07.2024

1. On mentioning, the case has been taken up out of turn.
2. It is submitted by learned counsel for the petitioner that the respondent No. 4 in compliance to order dated 18.03.2024 passed by this Court has considered the matter and passed an order bearing No. CMO/K/10050-54 dated 29.03.2024, which forms the Annexure-I to his statement of objections dated 24.05.2024 filed in the matter. It is submitted that the said respondent has in his consideration report clearly mentioned *inter alia* that under the Clinical Establishment Act, 2010, there is no provision regarding the sealing of a clinic or suspension of the registration of the same, yet the impugned action was felt necessary in order to immediately stop the illegal activities which were allegedly going on in the clinic.

True Copy Attached

Assistant Registrar
High Court of J&K and Ladakh
Jammu

3. It is submitted by learned counsel for the petitioner that there are valuable and costly life-saving drugs in the clinic worth lakhs of rupees, which are likely to get expired.
4. List for further consideration on **31.07.2024**.
5. In the meantime, subject to any contrary orders of this Court, the respondents under the command of respondent No. 2 are directed to consider the de-sealing of the clinic and release of all the drugs in the presence of respondent Nos. 5 and 6. However, consideration for release of the drugs in favour of the owner of the clinic shall be subject to the objections/scrutiny by the respondent Nos. 5 and 6 and that too on the basis of a superdnama with reasonable conditions to be determined by the respondent No. 2 in consultation with the respondent No. 6. A status report in this regard shall be filed by the respondents positively by the next date of hearing.
6. Copies of this order shall be forwarded to the respondents for information and compliance.

Sd/- Mohd Yousuf Wani
(MOHD YOUSUF WANI)
JUDGE

Jammu
08.07.2024
Sahil Daska

Certified to be True Copy

[Signature]
19/7/24
Verifying Officer
High Court of Jammu & Kashmir and Ladakh

Dated 19/7/24
Authorized by Section 76 of the Evidence Act.

GOVERNMENT OF JAMMU KASHMIR
e-Court Fee



DATE & TIME : 19-JUL-2024 14:47:37
NAMES OF THE ACC/ REGISTERED USER : SHAM LAL
LOCATION : Jammu
NAME OF LITIGANT : ADV ASEEM SAWHNEY
e-COURT RECEIPT NO : JKCT1934G2447O695
e-COURT FEE AMOUNT : ₹ 20
(Rupees Twenty Only)



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