



2026:CGHC:13293



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 1207 of 2026

DNA Critical Care Hospital Through Director Shahid Rehman, S/o Shri S.N. Rehman, Aged About 71 Years, R/o Sahdev Nagar Stadium Chawk Near Axis Bank, Gi Road Rajnandgaon, District - Rajnandgaon, Chhattisgarh.

... **Petitioner**

versus

1 - State Of Chhattisgarh Through Principal Secretary, Gad, Mantralaya, Mahanadi Bhawan, Nava Raipur, District - Raipur, Chhattisgarh.

2 - Chhattisgarh State Mahila Aayog Through Secretary, Near Chief Election Commission, Shashtri Chawak, Raipur, District - Raipur, Chhattisgarh.

3 - Smt. Mamta Uieke W/o Shri Bhikham Kumar Uieke Aged About 26 Years R/o Ghupsal, Thana Gondatola, Tahsil Churiya, District - Rajnandgaon, Chhattisgarh.

... **Respondents**

{Cause title, as taken from CIS}

For Petitioner	:	Mr. T.K. Jha, Advocate.
For Resp. No. 1	:	Mr. Saumitra Kesharwani, Panel Lawyer
For Resp. No. 2	:	Mr. Ashutosh Singh Kachhwaha, Advocate.

{Hon'ble Mr. Justice Naresh Kumar Chandravanshi}

Order on Board

19/03/2026

1. Instant writ petition under Article 226 of the Constitution of India has been preferred by the petitioner – Hospital seeking following reliefs :-

“10.1 Hon'ble Court may kindly be pleased to call for the entire record pertaining to the instant case.



10.2 The Hon'ble Court may kindly be pleased to allow this petition and set aside the impugned notice (Annexure P/1), dated 28.12.2023 (Annexure P/2) dated 03.03.2026 (Annexure P/4 colly), and restrain the respondent no. 2 to issue further notice in this matter against the petitioner and doctors working in his hospital, in the interest of justice.

10.3 Any other relief which the Hon'ble Court deems fit and proper in the facts and circumstances of the case may also be provided to the petitioner.”

2. Learned counsel appearing for the petitioner submits that in the intervening night of 27/28-8-2022, respondent No. 3 – Smt. Mamta Uieke admitted in the petitioner- Hospital for delivery, as she was carrying pregnancy of 8-9 months. She gave birth to a stillborn child on 29-8-2022 and, thereafter, she was discharged from the Hospital on 30-8-2022. Subsequently, she made complaint to Chief Medical & Health Officer, Rajnandgaon (for short, “CMHO, Rajnandgaon”) levelling various allegations of medical negligence on 7.11.2022, thereafter, he constituted team of doctors including one government official, who enquired the allegations and submitted report (Annexure P-5) dated 05.12.2022 to CMHO, Rajnandgaon with a finding that charges levelled against the petitioner-Hospital was not found true, therefore, complainant / respondent No. 3 is not entitled to get any relief / compensation. He further submits that respondent No. 3 also made complaint to Chhattisgarh State Mahila Aayog, Raipur, thereafter, it issued notice 28.12.2023 (Annexure P-2), which was replied by petitioner vide Annexure P-3 dated 10.01.2024 and the same was sent through registered post, despite that respondent No. 2 is issuing notice to the petitioner-Hospital and its doctors. It is next contended that representative of petitioner also went to the office of Respondent No. 2 to submit reply (Annexure P-3) alongwith report (Annexure P-5), but they refuse to receive the same. He further submits that Chhattisgarh State Mahila Aayog has no authority to enquire the issue of medical negligence under Chhattisgarh Rajya



Mahila Ayog Adhiniyam, 1995 (for brevity, 'Adhiniyam, 1995'), rather under Section 10(1)(g) of Adhiniyam, 1995, they may only compile the information with regard to cases of medical negligency in causing delivery or sterilization or medical intervention that relates to child bearing or child birth. He further submits that the petitioner is ready to file fresh reply alongwith all necessary documents, hence, this petition may be disposed of directing respondent No. 2 to receive the same.

3. Per contra, learned counsel for respondent No. 2/Chhattisgarh Mahila Aayog would submit that if the petitioner will file reply, they may receive the same.

4. Having considered the limited prayer made by counsel for the petitioner, this petition is disposed of granting liberty to the petitioner to file fresh reply to the notice (Annexure P-2) dated 28.12.2023 issued by respondent No. 2 within 15 days from today. In the eventuality of filing such reply, respondent No. 2 is directed to receive the same and also give acknowledgment of the same to the petitioner-Hospital / his representative.

5. With the aforesaid observations & directions, the writ petition is disposed of.

6. Pending interlocutory application (s), if any, stands disposed of.

Sd/-

(Naresh Kumar Chandravanshi)
Judge