

***Back to Life Foundation Vs. Chief Executive Officer***

**FAO No. 95 of 2025**

**9.5.2025**

**Present:** Mr.H.R.Jhingta, Advocate, for the appellant.

Mr.Manoj Chauhan, Additional Advocate General,  
for the respondent.

**FAO No. 95 of 2025**

Notice. Mr.Manoj Chauhan, Additional Advocate General waives service and accepts notice on behalf of respondent and seeks time to have complete institutions and to place on record relevant facts to justify the action taken by the concerned authority, including requirement of No Objection Certificate to be issued by the local Gram Panchayat for establishment/continuation of Mental Health Center.

Reply/instructions be filed/obtained well before next date of hearing.

As prayed, list for consideration on **19<sup>th</sup> May, 2025**.

**CMP No. 9997 of 2025**

Notice in the aforesaid terms.

Learned counsel for the appellant/applicant submits that though in impugned Office Order dated 2.5.2025, there is reference of four deficiencies found to be persisting, but in the Inspection Report dated 19.4.2025, no such deficiency has been indicated or pointed out by the Inspection Committee, as evident from the Inspection Report placed on record alongwith the appeal, wherein only two deficiencies are

indicated. First deficiency is that 'No Objection Certificate' from local Gram Panchayat has not been obtained by the Center, second deficiency is that 5 HCV +ve patients were not put on treatment by any Doctor/Hospital putting the patients' life at risk.

He has further submitted that from the intent and purport of the Office Order dated 2.5.2025, it is apparent that District Inspection Team in its report has recommended the cancellation of registration of Center, on the ground that No Objection Certificate from the local Gram Panchyat, has not been obtained by the Center.

According to learned counsel for the appellant, under the Act or Rules applicable in the matter, there is no requirement for obtaining No Objection Certificate from the local Gram Panchayat, whereas other deficiency pointed out in the latest Inspection Report is not of such a nature that registration of Center is liable to be cancelled as directed vide impugned Office Order dated 2.5.2025.

It has been submitted by learned counsel for the appellant that at present 14 persons suffering from mental health problem are inmates in the Center, who have been directed to be handed over to their families within 7 days from the date of passing of the Office Order dated 2<sup>nd</sup> May, 2025, mainly for want of No Objection Certificate to be issued by the

local Gram Panchyat and, therefore, he has submitted that a *prima facie* case is made out for keeping in abeyance the implementation of Office Order dated 2.5.2025, particularly when the Center is being run since 21.1.2023 and in the latest Inspection Report, there is no serious lapse except the non production of No Objection Certificate from the local Gram Panchyat.

Learned Additional Advocate General, as also recorded hereinabove, seeks time to place on record relevant material, regulations/rules to justify the cancellation of the registration of the Center in reference for want of No Objection Certificate to be issued by the local Gram Panchayat alongwith other grounds.

Reply to the application, if any, be filed well before next date of hearing.

Taking into consideration entire facts, material and circumstances and submissions made by learned counsel for the appellant and Learned Additional Advocate General, it is directed that Office Order dated 2.5.2025 shall be kept in abeyance till next date of hearing.

List alongwith main petition on next date.

**CMP No. 9998 of 2025**

Learned counsel for the applicant/appellant has submitted that impugned Office Order has been sent to the

appellant through E-mail and certified copy of the order has either not issued or not reached yet to the applicant, but due to urgency, appeal has been preferred alongwith print out of the impugned Office Order provided through E-mail to the the applicant/appellant. It has been submitted that certified copy of impugned Office Order shall be placed on record immediately after receiving the same.

In view of above, application is allowed and applicant/appellant is exempted from filing the certified copy of impugned Office Order dated 2.5.2025 at this stage, subject to filing of the same on or before next date of hearing.

Respondent is also directed to ensure supply of certified copy of impugned Office Order well within time.

The application stands disposed of.

**(Vivek Singh Thakur),  
Judge.**

**9<sup>th</sup> May, 2025**  
(Keshav)