



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C)No.26608 of 2025

M/s. Relax
Hospital, Cuttack

.....

Petitioner

*Miss. Deepali Mohapatra,
Advocate*

-versus-

State of Odisha & Others

.....

Opposite Parties

*Mr. Sonak Mishra, ASC,
Mr. B.S. Tripathy, Sr.
Advocate along with
associate*

CORAM:

THE HON'BLE DR. JUSTICE S.K. PANIGRAHI

ORDER

01.05.2025

**Order
No.**

05. 1. This matter is taken up through hybrid arrangement.
2. The Petitioner, by filing this Writ Petition, has sought for a direction from this Court to the Opposite Party No.3/ Chief District Medical & Public Health Officer, Cuttack renew the Petitioner-Hospital's MoU as the Petitioner Hospital has already applied for the same.
3. Learned counsel for the Petitioner submits that the Petitioner-Hospital named Relax Hospital, Cuttack, is a clinically registered hospital. The hospital was established in the year 2016 and started functioning Multispecialty Hospital from 2016.



4. She further submits that the Petitioner-Hospital challenges the action of the Opposite Party No.3 in refusing to grant/ renew the BSKY Scheme to its Hospital, which was empanelled as a private hospital under the Biju Swasthya Kalyan Yojana (BSKY) Scheme. It is also submitted that the denial of renewal of BSKY Scheme in respect of the Petitioner's hospital on the ground of non-renewal of registration is completely illegal, arbitrary and an infringement of the direction of this Court. When the Petitioner's hospital is functioning with full force, there was no occasion to deny BSKY Scheme when it will cater to the need of the patients who are referred to the hospital with the benefit of financial constraint and getting best service. In that view of the matter, the interference of this Court in this matter is highly warranted.

5. At this stage, learned counsel for the Petitioner draws attention of this Court to the Notification dated 17th March, 2025 issued by the Home Department, Government of Odisha and prays that direction may be issued to the Opposite Party No.3/ Chief District Medical & Public Health Officer, Cuttack to renew the Petitioner-Hospital's MoU as the Petitioner Hospital has already applied for the same.



6. Perused the records and the Notification dated 17th March, 2025 issued by the Home Department, Government of Odisha.

7. Considering the submission of the learned Counsel for the Petitioner and on going through the averments made in this Writ Petition and the substances of the Notification dated 17th March, 2025 issued by the Home Department, Government of Odisha, this Court is of the view that the Petitioner's application for renewal of the MoU should be considered , if the Petitioner fulfils the other conditions prescribed thereunder. Further, since the application of the Petitioner-Hospital is pending which is admitted by the Opposite Parties, hence, the Petitioner is not required to file any fresh application for renewal of the MoU.

8. In such view of the matter, without going into the merits of the case, this Writ Petition is disposed of directing the Opposite Party No.3/ Chief District Medical & Public Health Officer, Cuttack to consider the application and renew the Petitioner-Hospital's MoU as the Petitioner Hospital has already applied for the same within a reasonable time.



9. No coercive action shall be taken against the Petitioner-Hospital till disposal of the aforesaid application of the Petitioner.

10. Accordingly, this Writ Petition is disposed of.

(Dr. S.K. Panigrahi)
Judge

Narayan

Signature Not Verified

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Reason: Authentication
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