

  
**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT  
JODHPUR**

S.B. Civil Writ Petition No. 10001/2026

Cbm Hospital And Research Centre, Kuchaman, Through Itsn  
Managing Partner, Ratan Ram Tetarwal S/o Bhoma Ram Aged  
About 71 Years, R/o Ganesh Colony, Khati Pura, Jhotwara, Jaipur  
Rajasthahn.

----Petitioner

Versus

1. State Of Rajasthan, Through The Principal Secretary,  
Medical And Health Department, Government Of  
Rajasthan, Secretariate, Jaipur.
2. The Chief Executive Officer, Rajasthan State Health  
Assurance Agency (Rshaa), Swasthya Bhawan, Tilak  
Marg, Jaipur.
3. Executive Director, State Anti Fraud Unit (Safu),  
Rajasthan State Health Assurance Agency(Rshaa), Jaipur
4. The Chief Executive Office And Chairman State Level  
Grievance Redressal Committee(Sgrc), Rajasthan  
Statehealth Assurance Agency (Rshaa), Jaipur.
5. The Chief Regional Manager, New India Insurance  
Company Limited, Nehru Place, Tonk Road, Jaipur.

----Respondents

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For Petitioner(s) : Mr. Rishabh Purohit  
For Respondent(s) :

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**HON'BLE MR. JUSTICE MUKESH RAJPUROHIT**

**Order**

**08/05/2026**

Learned counsel for the petitioner submits that the petitioner  
has been served with show cause notice dated 25.03.2025  
(Annexure-1) alleging certain anomalies in the functioning of the  
petitioner-Hospital under Maa Yojanma During audit, by the State  
Anti Fraud Unit of the Rajasthan State Health Assurance Agency  
(for brevity "the RSHAA") which is an incompetent authority and  
has imposed penalty of Rs.81,59,200/- and recovery of

Rs.10,19,900/- has been directed to be made vide order dated 03.06.2025 (Annexure-4).

Learned counsel for the petitioner also submits that in the identical controversy the High Court at Jaipur Bench vide order dated 07.05.2022, passed in S.B. Civil Writ Petition No.3773/2022 titled as 'Manas Hospital, D-131, Jagdamba Nagar, Dhabas Road Vs. State of Rajasthan & Ors.' had granted interim order and the same is reproduced hereunder:-

*"Learned counsel for the respondents prays for an adjournment.*

*Learned counsel for the petitioner submits that the matter may be heard on interim relief.*

*Learned counsel for the petitioner, drawing attention of this Court towards relevant clauses of the guidelines issued by the respondents for de-empanelment of hospitals and award of penalties, submitted that on first offence/incident, Rajasthan State Health Assurance Agency (for brevity "the RSHAA") is empowered to reject claim and levy penalty up to five times the amount claimed for such packages and/or suspension upto six months and hospitals can only be de-empaneled on third and subsequent offence/incident that too by the State Empanelment Committee either suo-moto or on the recommendation of the RSHAA/DGRC/SAFU. He submitted that in the present case alleging first offence/incident, the RSHAA, i.e., an incompetent authority, has meted the petitioner with penalty inter-alia of de-empanelment.*

*Learned counsel for the respondents submitted that the petitioner has an alternative remedy of appeal and hence, the writ petition is not maintainable.*

*Heard. Considered.*

*This Court is prima-facie satisfied that order impugned dated 07.02.2022 has been passed by the Rajasthan State Health Assurance Agency, Jaipur without authority/jurisdiction. It is also not disputed that it was the first offence/incident alleged against the petitioner.*

*In view thereof, this Court deems it just and proper to stay the effect and operation of the order dated 07.02.2022, till further orders.*

*List the matter on 06.07.2022 as prayed."*

Issue notice, returnable within a period of six weeks.



[CW-10001/2026]

In the meanwhile, effect and operation of the show cause notice dated 25.03.2025 (Annexure-1) and orders dated 03.06.2024, 24.12.2025 & 01.05.2026 (Annexures-4, 6 & 8) shall remain stayed.

List this matter after six weeks.

**(MUKESH RAJPUROHIT),J**

24-AbhishekS/-