

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Civil Writ Petition No. 4565/2024

Harveer Singh S/o Hukam Singh

-----Petitioner

Versus

State Of Rajasthan

-----Respondent

For Petitioner(s)	:	Mr. Nikhlesh Katara
For Respondent(s)	:	Mr. Yash Joshi for Mr. Vigyan Shah, AAG

HON'BLE THE CHIEF JUSTICE MR. MANINDRA MOHAN SHRIVASTAVA
HON'BLE MR. JUSTICE BHUWAN GOYAL

Order

02/04/2024

Heard.

The allegation is that even though, the Primary Health Centre has been constructed, the Health Department is not taking possession and allowing all encroachments to be made. We further find that several representations have been made to the officers of the administration including District Collector, Deeg and Block Chief Medical Officer Kumher, District Deeg.

A Spot Inspection Report dated 25.01.2024 prepared under the orders of Tehsildar, Kumher is also on record. The report shows that at the time of making inspection, certain constructions were going on which were immediately stopped on the directions of the Land Record Inspector and Patwari, Patwar Mandal, Jahangeerpur and warning was also issued for lodging the FIR. Another memo was issued by Tehsildar, Kumher on 25.01.2024 confirming the construction being made and issuance of directions

to stop construction. Memo dated 25.01.2024 of the Block Chief Medical Officer, Kumher, District Deeg, indicates a sorry state of affairs. It appears that Primary Health Centre was constructed but it is found to be in dilapidated condition and same has not been handed over to the Health Department.

Mr. Yash Joshi, Adv. on behalf of Mr. Vigyan Shah, AAG has put in appearance for respondents No.1 to 8 and be supplied a copy of petition along with annexures by tomorrow under the acknowledgment receipt to be submitted before this Court.

Learned counsel for respondents shall seek instructions and file reply before this Court supported by an affidavit as to why the Primary Health Centre which was constructed by the Gram Panchayat utilizing public fund has not been handed over to the Health Department and why a Primary Health Centre is not being operated. The reply shall indicate as to what action has been proposed against those, who are responsible in the present state of affairs.

We are also prima facie of the view that even though, some people are involved in raising constructions in the premises of Primary Health Centre, concrete action has not been taken.

Let this aspect be also dealt with in the reply to be filed by respondents.

List on 15.04.2024.

Name of Mr. Vigyan Shah, AAG and Mr. Yash Joshi shall be published as counsel for the respondents.

(BHUWAN GOYAL),J

(MANINDRA MOHAN SHRIVASTAVA),CJ