HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

WEDNESDAY, THE SECOND DAY OF APRIL
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE THE ACTING CHIEF JUSTICE SUJOY PAUL
AND
THE HONOURABLE SMT JUSTICE RENUKA YARA

WRIT APPEAL NO: 363 OF 2025

Writ Appeal under clause 15 of the Letters Patent preferred against the Order dated 05-03-2025 in W.P.No.18466/2024 on the file of the High Court.

Between:

Samanvitha Hospital, rep. by its Managing Director Dr. Smt. Vittam Sucharitha w/o Dr. Vittam Praveen Kumar, aged about 36 years, occ Medical Practitioner, H. No. 5-7-270, Sriram Nagar Colony, Kamareddy.

...APPELLANT

AND

1. The State of Telangana, rep. by its Principal Secretary, Health Medical and Family Welfare Department, Secretariat, Hyderabad.
2. The District Medical and Health Officer, Kamareddy District.
3. The District Collector and Magistrate, Kamareddy District.

...RESPONDENTS

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the Judgment dated 05.03.2025 passed in W.P.No.18466 of 2024 and the orders issued in R.C. No. P-30/DMHO/CEA/KMR/2025 dated 26-03-2025 wherein directed to surrender the registration certificate and screening registration certificate with further consequential Proceedings in R.c.No.P-30/DMHO/CEA/KMR/2025 dated 26-03-2025 to stop all the operations and not run the hospital is illegal, arbitrary, unjust and unconstitutional pending disposal of the above Writ Appeal.

Counsel for the Appellant: SRI PRATAP NARAYAN SANGHI, SENIOR COUNSEL FOR SRI NAYAKAWADI RAMESH

Counsel for the Respondent Nos.1 & 2: SRI R.NAGARJUNA REDDY, AGP FOR MEDICAL HEALTH & FW

Counsel for the Respondent No.3: GP FOR REVENUE

The Court made the following: JUDGMENT

THE HON'BLE THE ACTING CHIEF JUSTICE SUJOY PAUL
AND
THE HON'BLE SMT. JUSTICE RENUKA YARA

WRIT APPEAL No.363 of 2025

JUDGMENT *(Per the Hon'ble the Acting Chief Justice Sujoy Paul)*:

Sri Pratap Narayan Sanghi, learned Senior Counsel represents Sri Nayakawadi Ramesh, learned counsel for the appellant and Sri R. Nagarjuna Reddy, learned Assistant Government Pleader for Health, Medical and Family Welfare Department, for respondent Nos.1 and 2.

2. With the consent, finally heard.

3. The admitted fact, as canvassed by learned Senior Counsel for the appellant, is that the appellant was served with a show cause notice dated 08.07.2024. Aggrieved by the said notice, instant writ petition i.e. W.P.No.18466 of 2024 was filed. Along with the counter filed in the writ petition, another show cause notice dated 24.07.2024 was served on the appellant. The appellant, although, did not challenge the same, learned Single Judge passed the impugned order and on the basis of certain findings given in the impugned order, the respondents have passed the final order dated 26.03.2025.

4. During the course of hearing, learned counsel for the parties reached to a consensus. It is agreed that the writ appeal may be

disposed of by permitting the appellant to challenge the fresh proceedings dated 26.03.2025 before the appropriate forum, which came to be issued after the decision of the writ petition. If the appellant files any such fresh proceedings, it may be observed that the competent forum shall take a decision in accordance with law on its own merits without getting mechanically influenced by the impugned order passed in the instant writ petition.

5. In view of consensus arrived at, this Writ Appeal is **disposed of** by reserving liberty, as prayed for, to the appellant to challenge the order dated 26.03.2025 in appropriate fresh proceedings. In that event of challenge, the competent forum shall decide it on its own merits and the findings given in W.P.No.18466 of 2024 will not mechanically bind the competent forum. It is made clear that this Court has not expressed any opinion on merits of the case. No Costs.

Interlocutory applications, if any pending, shall also stand closed.

SD/-I.NAGALAKSHMI
JOINT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Principal Secretary, Health Medical and Family Welfare Department, State of Telangana, Secretariat, Hyderabad.
2. The District Medical and Health Officer, Kamareddy District.
3. The District Collector and Magistrate, Kamareddy District.
4. One CC to SRI NAYAKAWADI RAMESH, Advocate [OPUC]
5. Two CCs to GP FOR MEDICAL HEALTH & FW, High Court for the State of Telangana, at Hyderabad. [OUT]
6. Two CCs to GP FOR REVENUE, High Court for the State of Telangana, at Hyderabad. [OUT]
7. Two CD Copies

PSK.
LS

HIGH COURT

DATED:02/04/2025

JUDGMENT

WA.No.363 of 2025



DISPOSING OF THE WRIT APPEAL WITHOUT COSTS

(11) Copied
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8/4/25