

**Court No. - 2**

**Case :-** WRIT - C No. - 2004 of 2022

**Petitioner :-** Maqsood Ahamad

**Respondent :-** State Of U.P. Thru. Secy. Deptt. Of Medical Health And Family Welfare, Lko. And 2 Others

**Counsel for Petitioner :-** Ram Kumar Singh

**Counsel for Respondent :-** C.S.C.

**Hon'ble Mrs. Sangeeta Chandra, J.**

**Hon'ble Manish Kumar, J.**

1. Heard learned counsel for the petitioner and learned Standing Counsel who appears for the State Respondents.

2. This petition has been filed with the following main prayers:-

*"i. Issue a writ of Mandamus commanding the opposite parties thereby directing to opposite party no. 3 to register the petitioner under Clinical Establishment (Registration and Regulation) Act 2010 for practice under the Naturopathy and Yoga System of Medicine.*

*ii. Issue a writ of Mandamus or a writ in the nature of Mandamus commanding the opposite parties thereby directing to opposite party no. 3 to consider and take decision over the representation of petitioner for registration under the Clinical Establishment (Registration and Regulation) Act 2010 by ensuring that no undue hindrance be created in practice of petitioner."*

3. It is the case of the petitioner that he has completed his Bachelor of Naturopathy and Yoga Science (BNYS) course from Amar Paramedical and Naturopathy Institute, Patasiya Chauraha Bahraich and he has been duly registered with All India Yoga and Nature Cure Council with Registration No. 0385. The Government of India has enacted the Clinical Establishment (Registration and Regulations) Act 2010 with a view to provide minimum standard of facility and services for improvement of public health. Section

10 of the Act provides the authority for registration in Committee headed by District Collector and District Health Officer. The petitioner being eligible person to practice in Naturopathy submitted an application alongwith relevant documents for registration before the opposite party no. 3. The opposite party no. 3 has orally informed him that his registration cannot be done. However, the petitioner has come to know that several similarly situated persons' registration has already been done and they have been permitted to practice. Hence this petition.

4. This petition is **disposed of** with a direction to the opposite party no. 3 to pass an appropriate reasoned and speaking order strictly in accordance with law on the application of the petitioner within a period of six weeks from the date a copy of this order is produced before him.

**Order Date :- 14.2.2023**  
Darpan Sharma