

IN THE HIGH COURT OF SINDH, BENCH AT SUKKUR

C.P No. D- 1658 of 2018

Date of hearing: 28-09-2021

Date of Order: 28-09-2021

Haji Shamsuddin Rajper, Advocate for the petitioner.

Mr. Ali Raza Balouch, Assistant A.G Sindh.

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ORDER.

Muhammad Junaid Ghaffar, J. – Through this petition, the petitioner has sought the following reliefs :-

- (a) Direct the respondents to resolve the genuine grievance of local area people of District Naushehro Feroze and up-grade the Civil Hospital Taluka Naushehro Feroze to District Hospital Naushehro Feroze, which is their fundamental right under the constitution in the interest of justice and equity.
- (b) Grant any other relief which this Honourable Court may deem fit and proper under the circumstance of the case.

Notice was ordered and on various dates comments have been filed, whereas, today again District Health Officer Naushehro Feorze has filed additional comments. Insofar as the above prayer is concerned, we have confronted the petitioners' counsel as to grant of the said reliefs as in our considered view, the status of any hospital as of Taluka Hospital or for that matter a District Hospital, is entirely an administrative function of the Executive and this Court cannot grant or declare such status. To this the petitioners' counsel has not been able to satisfactorily respond except that

this is a fundamental right of the petitioners. With respect we are not inclined to agree with such contention.

Be that as it may, on perusal of the comments of respondents Nos. 3 and 4 as well as District Health Officer, Naushehro Feroze, it appears that the grievance of the petitioners appears to be mostly satisfied as the requisite facilities are being provided even with the current status of a Taluka Hospital, instead of a District Hospital, whereas, today again it has been informed that an amount of Rs.800 Million has been allocated for expansion of the hospital in question and the same is reflected in the ADP (Annual Development Program) book for the year 2021-22 as ADP Scheme No.857.

In view of such position we are of the view that this petition has served its purpose and is accordingly disposed of with direction to respondents to adhere to the above ADP which shall be finalized within the said period, whereas requisite needs of the hospital as may arise from time to time shall also be catered to according to the policy of the Provincial Government already in field.

The petition stands disposed of in the above terms.

JUDGE

JUDGE

Irfan/PA