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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 6852/2018 & CM APPL. 26031/2018**

DR RAJNISH SHARMA

.....Petitioner

Through: Mr. Ashwin Kumar D.S. Adv. with
Mr. Ishan Roy Chowdhary, Adv.

versus

MEDICAL COUNCIL OF INDIA & ORS

.....Respondents

Through: Mr. T. Singhdev, Adv. with Mr.
Tanishq Srivastava and Mr. Abhijit
Chakravarty, Adv. for R-1.
Mr. Praveen Khattar, Adv. for R-2.

+ **W.P.(C) 8340/2018**

DR K G SINGH

.....Petitioner

Through: Mr. Ashwin Kumar D.S. Adv. with
Mr. Ishan Roy Chowdhary, Adv.

versus

MEDICAL COUNCIL OF INDIA & ORS

.....Respondents

Through: Mr. T. Singhdev, Adv. with Mr.
Tanishq Srivastava and Mr. Abhijit
Chakravarty, Adv. for R-1.
Mr. Praveen Khattar, Adv. for R-2.

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

08.10.2024

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1. The grievance of the Petitioners arises out of order dated 22.06.2018 passed by the Respondent No.1 [hereinafter referred to as the "Impugned Order"] and rendered a finding that the licences of the Petitioners are to be revoked for three months in W.P.(C) 6852/2018 and for one month in



W.P.(C) 8340/2018.

2. Learned Counsel for the Petitioners submit that the Respondent No.2 had found the Petitioners not guilty of any negligence, however, the Respondent No.1 reversed such a finding. He submits that relying on the order passed by the Respondent No.2, there were no complications during the surgery, however, complications arose thereafter. It is contended that these complications were not a result of the negligence of the Petitioners.

3. Learned Counsel for the Petitioner further seeks to rely upon the Impugned Order to submit that all that is set out in the Impugned Order is that the matter was considered in its meeting dated 19/20.04.2018 and the Ethics Committee gave a unanimous opinion of the Petitioners being guilty and meted out the sentence under the Delhi Medical Council Act, 1997.

4. Learned Standing Counsel for the Respondent No.1 submits that the original records are not available with him today. He seeks some time to place the same on record.

4.1 Let the needful be done before the next date of hearing.

5. At his request, list on 05.12.2024.

6. In the meantime, the interim order dated 05.07.2018 is made absolute and CM APPL. 26031/2018 in W.P.(C) 6852/2018 is disposed of.

TARA VITASTA GANJU, J

OCTOBER 8, 2024/SA

Click here to check corrigendum, if any