

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.8830 OF 2013**

Dr. Jaydeep Arun Date	Petitioner.
Versus	
Medical Council of India & Ors.	...Respondents.

Mr. Girish Godbole i/by Ms. Pooja Patil, Ishwar Nankani, H.S.Khokawalla
i/by Nankani & Associates, advocates for the Petitioner.
Mr. Ritesh Ratnam h/for Ganesh K. Gole, advocates for the respondent
no.1.
Mr. Rahul Nerlekar, advocate for R.No.2.
Mr. A.M.Gokhale, advocate for R.No.3.

**CORAM : RANJIT MORE, J.
DATED : December 4, 2013.**

P.C.:

1 At the outset, learned counsel for the respondent no.3 submits that the petitioner has an alternative remedy to approach Central Government under Section 24 of the Indian Medical Council Act, 1956. Having perused the provisions of the said section, I am of the opinion that the same is not applicable to the facts and circumstances of the present case. Petitioner has, therefore, rightly approached this Court by way of writ petition under Article 227 of the Constitution of India.

2 Heard.

3 Petition is already admitted on 25th September, 2013 and an
ad-interim relief in terms of prayer clause (b) is also granted. Today,
petition is placed for confirmation of said ad-interim relief.

4 Learned counsel for the respondent no.3 supports the
impugned order and submits that no interference is required in exercise
of writ jurisdiction of this Court. However, as stated above, petition is
already admitted and if the ad-interim order is vacated then, the petition
would render infructuous. In my view, petition deserves to be heard on
merits.

5 In the above circumstances, ad-interim order granted on 25th
September, 2013 is confirmed.

6 Hearing of the petition is expedited. Respondent no.3 is at
liberty to prefer separate application after six months for fixed date of
hearing of this petition.

(RANJIT MORE, J.)