

\23061

ITEM NO.54

COURT NO.5

SECTION PIL(W)

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s).33/2012

SWASTHYA ADHIKAR MANCH, INDORE & ANR.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With appln.(s) for directions and extension of time and impleadment and intervention and permission to file additional affidavit and office report)

WITH

W.P.(C) No. 91/2004

W.P.(C) No. 79/2012

(With appln.(s) for directions and impleadment and permission to file additional documents and Office Report)

Date : 10/02/2017 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR

HON'BLE MR. JUSTICE PRAFULLA C. PANT

For Petitioner(s) Mr. Sanjay Parikh, Adv.

Ms. Ninni Susan Thomas, Adv.

Mr. Pukhrambam Ramesh Kumar, AOR

Mr. Uday Manaktala, Adv.

Mr. E. C. Agrawala, AOR (NP)

Mr. Colin Gonsalves, Sr. Adv.

Ms. Tanya Agarwal, Adv.

Ms. Jyoti Mendiratta, AOR

For Respondent(s)/

applicant(s) Mr. Ranjit Kumar, SG

UOI Mr. Maninder Singh, ASG

Mr. A.K. Kaul, Adv.

Ms. Asha G. Nair, Adv.

Mr. Shadman Ali, Adv.

2

Mr. D.N. Goburdhun, Adv.

Ms. Binu Tamta, Adv.

Mrs. Anil Katiyar, AOR

Mr. D.S. Mahra, AOR

Mr. Gurmeet Singh Makker, Adv

Mr. Rana Mukherjee, Sr. Adv.

Ms. Daisay Hannah, Adv.

Ms. Ekta Pradhan, Adv.

Mr. Shekhar Kumar, AOR

Ms. Anukanksha S.K., Adv.

For States of

Andhra Pradesh Mr. Guntur Prabhakar, Adv.

Ms. Prerna Singh, Adv.

Arunachal Pradesh Mr. Anil Shrivastav, Adv.

Mr. Rituraj Biswas, Adv.

Assam Mr. Shuvodeep Roy, Adv.

Mr. Sayooj Mohandas, Adv.

Bihar Mr. Abhinav Mukerji, AOR

Mrs. Bihu Sharma, Adv.

Ms. Purnima Krishna, Adv.

Chhattisgarh Mr. A.P. Mayee, Adv.

Mr. A. Selvin Raja, Adv.

Goa Mr. Pratap Venugopal, Adv.

Ms. Surekha Raman, Adv.

Ms. Niharikha, Adv.

Mr. Aman Shukla, Adv.

Ms. Kanika Kalaiyarasan, Adv.

for M/s. K. J. John & Co.

Gujarat Ms. Hemantika Wahi, AOR

Ms. Jesal Wahi, Adv.

Ms. Puja Singh, Adv.

H.P. Mr. D.K. Thakur, AAG
Mr. Shariq Ahmed, Adv.
Mr. Williams Vinod, Adv.
Ms. Pragati Neekhara, AOR
Mr. Varinder Kumar Sharma, AOR
Ms. Parul Sharma, Adv.

3

Ms. Suman Rani, Adv.
Mr. Yugal K. Prasad, Adv.
Jharkhand Mr. Anil K. Jha, AOR
Mr. R.K. Ojha, Adv.
Karnataka Mr. Prakash Jadhav, Adv.
Mr. Lagnesh Mishra, Adv.
Mr. V.N. Raghupathy, AOR
Mr. Parikshit P. Angadi, Adv.
Kerala Mr. C.K. Sasi, AOR
Mr. Manu Krishnan G., Adv.
M.P. Mr. C.D. Singh, AAG
Mr. Sandeepan Pathak, Adv.
Mr. Rahul Rajput, Adv.
Maharashtra Ms. Madhavi Divan, Adv.
Ms. Nidhi Khanna, Adv.
Mr. Nishant Ramakantrao Katneshwarkar, AOR
Manipur Mr. Sapam Biswajit Meitei, Adv.
Mr. Ashok Kumar Singh, AOR
Ms. B. Khusbansi, Adv.
Naibam Cthanashyam, Adv.
Meghalaya Mr. Ranjan Mukherjee, AOR
Mr. Daniel Stone Lyngdoh, Adv.
Mizoram Mr. Pragyan Pradip Sharma, Adv.
Mr. Ganesh Bapu TR, Adv.
Mr. Shikhar Garg, Adv.
Mr. P. V. Yogeswaran, AOR
Nagaland Ms. K. Enatoli Sema, AOR
Mr. Edward Belho, Adv.
Mr. Amit Kumar Singh, Adv.
Mr. K. Luikang Michael, Adv.
Mr. Z.H. Isaac Haiding, Adv.
Odisha Ms. Anindita Pujari, AOR
Punjab Mr. Ashok Aggarwal, Adv. Gen.
Mr. S.A. Gupta, Adv.
Mr. Nishant Bishnoi, Adv.
Mr. Jagjit Singh Chhabra, AOR

4

Rajasthan Mr. S.S. Shamsbery, Adv.
Mr. Amit Sharma, Adv.
Mr. Ankit Raj, Adv.
Ms. Ruchi Kohli, Adv.
Sikkim Ms. Aruna Mathur, Adv.
Mr. Avneesh Arputham, Adv.
Mr. Yusuf Khan, Adv.
Ms. Anuradha Arputham, Adv.
Mr. Amit Arora, Adv.
for M/s Arputham Aruna & Co.
Tamil Nadu Mr. B. Balaji, Adv.
Mr. S. Kumar, Adv.
Mr. Muthuvel Palani, Adv.
Telangana Mr. S. Udaya Kumar Sagar, AOR
Mr. Mrityunjai Singh, Adv.
Tripura Mr. Gopal Singh, AOR
Mr. Rituraj Biswas, Adv.
Ms. Varsha Poddar, Adv.
Uttar Pradesh Mr. Abhishek Kumar Singh, Adv.
Mr. Abhishth Kumar, AOR
Uttarakhand Ms. Rachana Srivastava, AOR
Mr. Sukrit R. Kapoor, Adv.
West Bengal Mr. Joydeep Mazumdar, Adv.

Mr. Rohit Dutta, Adv.
Mr. Parijat Sinha, AOR
A&N Islands Mr. Bhupesh Narula, Adv.
Mr. K.V. Jagdishvaran, Adv.
Mrs. G. Indira, AOR
Puducherry Mr. V.G. Pragasam, AOR
Mr. Prabu Ramasubramanian, Adv.
MCI Mr. Gaurav Sharma, Adv.
Mr. Prateek Bhatia, Adv.
Mr. Dhawal Mohan, Adv.
Ms. Vara Gaur, Adv.
Ms. Amandeep Kaur, Adv.

5

Ms. Karuna Nandy, Adv.
Jushpta Pai, Adv.
Ms. Aparna Bhat, Adv.
Mr. Jayant K. Mehta, Adv.
Mr. Abhijeet Shrivastava, Adv.
Dr. Monika Gusain, AOR
 Mr. Amit Kumar, AOR

 Mr. C. D. Singh, AOR
 Mr. V. G. Pragasam, AOR
 Mr. Sanjay Parikh, Adv.
Ms. Anitha Shenoy, AOR
Ms. Surabhi Aggarwal, Adv.
Ms. Srishti Agnihotri, Adv.
Ms. Dharavi Subramanian, Adv.
Ms. Nini Susan Thomas, Adv.

 Ms. Arti Singh, AOR
 Ms. Manisha Singh, Adv.
Mr. Riku Sarma, Adv.
Mr. Navnit Kumar, Adv.
Ms. Aruna Gupta, AOR

Mr. T.N. Rama Rao, Adv.
Mr. Hitesh Kumar Sharma, Adv.
Mr. T. Veera Reddy, Adv.
Ms. C. K. Sucharita, AOR
 M/s Corporate Law Group (NP)
ICMR Mr. Jasbir Bidhri, Adv.
Ms. N. Annapoorani, AOR
Ms. Neha Bhatnagar, Adv.
 Ms. Pratibha Jain, AOR

 Mr. Nikhil Nayyar, AOR
Mr. N. Sai Vinod, Adv.

6

UPON hearing the counsel the Court made the following

O R D E R

Writ Petition(s)(Civil) No(s).33/2012

Mr. Sanjay Parikh, learned counsel for the petitioners will formulate the questions that arise in this petition and share them with learned Solicitor General well in advance.

List the matter on 23 rd
March, 2017.

I.A. Nos.11 and 12 will be taken up separately.

W.P.(C) No. 91/2004

Learned counsel for the respondent says that nothing further survives in this matter.

There is no one present on behalf of the petitioner to dispute this.

The writ petition is dismissed.

W.P.(C) No. 79/2012

In this writ petition, learned counsel for the petitioners makes it clear that only prayers (c) and (d) are relevant. These prayers are to the following effect:

â- S c) issue an order directing the concerned all Respondents to pay compensation to the victims/or their families for the harm caused to them on account of the clinical trials.

d) issue an order directing the Chief Secretary of the State of Madhya Pradesh to take disciplinary action, including

7

revocation of physicians' licences, against all those guilty of negligence, misconduct, corruption, criminal offences and the like on an expedited basis.â- \235

List the matter immediately after pleadings are complete.

(SANJAY KUMAR-I)

AR-CUM-PS

(JASWINDER KAUR)

COURT MASTER