

ITEM NO.104

COURT NO.10

SECTION XVII-A

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

Civil Appeal No(s). 6532/2010

BISHOP VAYALIL MEDICLE CENTRE &amp; ANR.

Appellant(s)

VERSUS

JOHNSON THOMAS . &amp; ORS.

Respondent(s)

WITH

C.A. No. 7301/2010 (XVII-A)

Date : 12-05-2022 These appeals were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HEMANT GUPTA  
HON'BLE MR. JUSTICE V. RAMASUBRAMANIAN

For Appellant(s) Mr. R. Basant, Sr. Adv.  
Mr. E. M. S. Anam, AOR

Mr. Ashwani Bhardwaj, AOR

For Respondent(s) Dr. S. Gopakumaran Nair, Sr. Adv.  
Mr. T. G. Narayanan Nair, AOR  
Ms. Priya Balakrishnan, Adv.  
Ms. Anupama Kumar, Adv.

Dr. M. P. Raju, Adv.  
Mr. Pushkar Anand, Adv.  
Md. Apzal Ansari, Adv.  
Mr. Ashwani Bhardwaj, AOR

UPON hearing the counsel the Court made the following  
O R D E R

On 10.05.2022, an order was passed that the legal representatives of deceased Dr. Mammen Easaw - Respondent No. 4 are not required to be served at this stage as the contest was said to be between the hospital and the consumer i.e. Respondent Nos. 1 to 3.

Mr. R. Basant, learned senior counsel appearing for the appellants, has brought to our notice that in fact, there is another appeal filed by the legal heirs of the deceased patient, claiming enhancement of compensation, therefore, the question of negligence of the Doctors is a necessary issue, which has to be gone into.

In view of the said fact and in supersession of the order dated 10.05.2022, we order issuance of notice to the legal heirs of the deceased Respondent No. 4 by Registered Post as well as by Dasti process, returnable in eight weeks.

List after eight weeks.

(JAYANT KUMAR ARORA)  
COURT MASTER

(RENU BALA GAMBHIR)  
COURT MASTER