

ITEM NO.3

COURT NO.3

SECTION III

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

Petition(s) for Special Leave to Appeal (C) No(s). 28529/2010

(Arising out of impugned final judgment and order dated 17-09-2010 in SCA No. 17485/2006 passed by the High Court of Gujarat at Ahmedabad)

NORTH GUJARAT UNIT OF ASSOCIATION  
OF SELF EMPLOYED OWNERS  
(PARAMEDICAL) OF PRIVATE PATHOLOGY  
LABORATORIES OF GUJARAT

Petitioner(s)

VERSUS

NORTH GUJARAT PATHOLOGISTS ASSOCIATION & ORS

Respondent(s)

WITH

SLP(C) No. 6325/2009 (IV-A)

FOR CONDONATION OF DELAY IN FILING ON IA 1/2008)

SLP(C) No. 6323/2009 (IV-A)

(FOR CONDONATION OF DELAY IN FILING ON IA 1/2008)

SLP(C) No. 6322/2009 (IV-A)

(FOR CONDONATION OF DELAY IN FILING ON IA 1/2008  
FOR [PERMISSION TO FILE ANNEXURES] ON IA 2/2009)

SLP(C) No. 6324/2009 (IV-A)

(FOR CONDONATION OF DELAY IN FILING ON IA 1/2008)

SLP(C) No. 8147/2009 (IV-A)

SLP(C) No. 32596/2010 (III)

Date : 12-09-2017 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE RANJAN GOGOI  
HON'BLE MR. JUSTICE ABHAY MANOHAR SAPRE  
HON'BLE MR. JUSTICE NAVIN SINHA

For Parties

Mr. Ranjit Kumar, SG  
Mr. Atulesh Kumar, Adv.  
Ms. Binu Tamta, Adv.  
Mr. G.S. Makker, Adv.

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Mr. Rahul Gupta, AOR

Mr. Manoj K. Mishra, AOR

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Mr. Vikas Singh, Sr. Adv.

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Ms. Bihu Sharma, Adv.

Ms. Purnima Krishna, Adv.

Mr. Siddharth Garg, Adv.

Ms. Hemantika Wahi, AOR

Ms. Puja Singh, Adv.

Ms. Mamta Singh, Adv.

Ms. Shodhika Sharma, Adv.

Mr. Varinder Kumar Sharma, AOR

Ms. Parul Sharma, Adv.

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

Learned Solicitor General, who has appeared in these cases, has drawn the attention of the Court to the Clinical Establishments (Registration and Regulation) Amendment Bill, 2016, which is stated to be under consideration.

Learned solicitor has also pointed out that certain guidelines under Section 12 of the Act read with Rule 9(3) of the Rules have been circulated and objections have been invited. The said guidelines are available on record.

It is further submitted that various associations have participated in the discussions and the guidelines presently are at draft stage and will be finalized soon.

We have perused the said guidelines and it is our considered view that guidelines Nos. 5.4 and 5.5, if finalized, will adequately take care of the issues arising subject to the concerned states choosing to adopt the provisions of the Act and the Rules framed thereunder as contemplated under Section 1(3) and Section 56 of the Act. To enable the exercise to be completed we adjourn the cases to 6<sup>th</sup> December, 2017 by which date the learned Solicitor General will inform the Court about the progress achieved in respect of finalization of the guidelines as well as the amendments proposed to the Act.

(NEETU KHAJURIA)  
COURT MASTER

(ASHA SONI)  
BRANCH OFFICER