

LISTED ON 08.05.2017
COURT NO. 4
ITEM NO. 38

SEC-IVA

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

PETITIONS FOR SPECIAL LEAVE TO APPEAL (CIVIL) NOS. 6322, 6323, 6324,
6325 & 8147 OF 2009

WITH PRAYER FOR INTERIM RELIEF

AND

INTERLOCUTORY APPLICATION NO. 1 in SLP NOS. 6322, 6323, 6324 & 6325 OF
2009

(Application for condonation of delay in filing SLP)

AND

INTERLOCUTORY APPLICATION NO. 2 in SLP NO. 8147 OF 2009

(Application for condonation of delay in filing SLP)

AND

INTERLOCUTORY APPLICATION NO. 2 in SLP NO. 6322 OF 2009

(Application for permission to file additional documents)

State of M.P. & Ors. Etc.

...Petitioners

Versus

Kamla Patel, Etc. Etc.

...Respondents

OFFICE REPORT

The matters above mentioned were listed alongwith connected matters before the Hon'ble Court on 09.08.2016 with an office report dated 29.04.2016, when the Court was pleased to pass the following Order:

"We find that Ministry of Health and Family Welfare, Government of India and Medical Council of India are necessary parties to these proceedings. In the interest of justice, we implead them as party respondents in SLP(C) Nos.28529 and 32596 of 2010.

Issue notice to newly added respondents, returnable on 20.09.2016.

Mr. D.S. Mahra, learned counsel, waives notice for Ministry of Health and Family Welfare, Government of India, in both the matters.

Mr. Gaurav Sharma, learned counsel, waives notice for Medical Council of India, in both the matters."

It is submitted that Mr. D.S. Mahra, Advocate has on 01.09.2016 filed vakalat/appearance on behalf of Ministry of Health and Family Welfare, Government of India in SLP No. 6322/2009. However, the same is neither a party in SLP No. 6322/2009 nor any order for impleadment in this matter.

It is further submitted that Medical Council of India has been impleaded as respondent No.2 in SLP(C) No. 6322/2009 vide Court's Order dated 29.03.2010, but the Standing Counsel for Medical Council of India has not entered appearance so far despite given undertaking before the Court on 29.03.2010.

It is further submitted that respondents in the matters above mentioned are served with the notice and service upon them is complete. Counter affidavit filed by Mr. Abhinav Mukerji on behalf of respondent No. 6 (Medical Council of India) and Ms. Minakshi Vij, Advocate on behalf of respondent Nos. 1 to 5 in SLP No. 6324/2009 and also the counter affidavit filed by Mr. Abhinav Mukerji on behalf of respondent No. 2 (Medical Council of India) in SLP No. 6325/2009 have been included in the SLPs' paber books.

Respondent Nos. 1 to 4 (State of M.P. and its bodies) were earlier represented by Mr. B.S. Banthia, Advocate in SLP (C)No.8147/2009. Now, these respondents are being represented by Mr. Mishra Saurabh, Advocate (present Standing Counsel), though he has not filed any appearance in place of the earlier Standing Counsel, but no counter affidavit on behalf of these respondent Nos. 1 to 4 is filed, so far.

It is lastly submitted that other respondents in the matters above mentioned though have been served with the notice by Regd. A.D. post, no appearance on their behalf is filed so far.

The matters above mentioned are listed before the Hon'ble Court with this office report.

Dated this the 5th day of May, 2017.

Copy to: Mr. Mishra Saurabh, Advocate
Mr. Shivaji M Jadhav, Advocate
Mr. Amit Kumar, Advocate
Ms. Minakshi Vij, Advocate
Mr. Gaurav Sharma, Advocate

ASSISTANT REGISTRAR

ASSISTANT REGISTRAR

