

\$~7

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 4054/2013**

MRS. POONAM KHERA

..... Petitioner

Through: **Mr Manuj Aggarwal with Ms Bhavya Sethi, Advocates.**

versus

MEDICAL COUNCIL OF INDIA & ORS.

..... Respondents

Through: **Mr Ashish Kumar, Advocate for respondent No.1.**

Mr Praveen Khattar, Advocate for respondent No.2.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

%

28.06.2013

CM No.9555/2013 (Exemption)

Exemption is allowed subject to all just exceptions.

W.P.(C) 4054/2013 & CM No.9556/2013 (Stay)

This is a writ petition challenging the order dated 10.06.2013 confirming the decision of the Disciplinary Committee to inflict the punishment to the petitioner by removing the name from the Register of Medical Practitioners' for a period of one month. There is some controversy as to when this period commences. As per the petitioner, this period commences from 17.06.2013 which is disputed by the respondent. The respondents contend that the punishment commences from the date of the order i.e. 10.06.2013. This aspect of the matter is also required to be

clarified by the Ethics Committee before whom an appeal ² against the decision dated 10.06.2013 has been preferred by the petitioner.

Admittedly, the Ethics Committee has the power to grant interim relief and the petitioner is stated to have made such an application before the Ethics Committee.

In view of the fact that the matter has been preferred before the Ethics Committee, this Court does find any ground to entertain this writ petition except to the extent that the punishment awarded to the petitioner stands suspended till the matter is considered by the Ethics Committee. The Ethics Committee would also look into the question as to the date with effect from which the punishment has commenced or is to commence.

With the above observations, the writ petition is disposed of.

Dasti under the signatures of the Court Master.



(VIBHU BAKHRU)
VACATION JUDGE

JUNE 28, 2013
MK