

28.02.2014

Shri Mohd. Ali learned counsel for the petitioner.

Shri Anoop Nair learned counsel for respondent no.1.

Shri Tabrez Sheikh learned counsel for respondent no.

Shri Sharad Pandey learned counsel for respondent no.4.

The petitioner has filed this petition wherein he has filed a complaint against respondent no.4 alleging that he does not hold proper registration nor is he qualified to conduct operation inspite of which he is doing so.

It is submitted by the learned counsel for the petitioner that though the petitioner has filed a complaint in this regard before the respondent no.2 Medical Council of Punjab but no action thereon has been taken till date. It is submitted that the respondent no.1 has filed its return quoting the Indian Medical Council (Professional Conduct, Etiquette & Ethics) Regulations 2002 (hereinafter referred to as 'the Regulations') in which Regulation 8.7 of the Regulations states that in case a complaint made to State Medical Council is not decided by it within six months from the date of receipt of complaint, the Medical Council of India

can either impress upon the concerned State Medical Council to conclude and decide the complaint within a time bound schedule or it may decide to withdraw the said complaint pending with the concerned State Medical Council and decide it itself. It is submitted that in view of the aforesaid Regulations the respondent no.1 be directed to look into the matter and take action on the same in accordance with Regulation 8.7 of the Regulations.

The learned counsel for respondent no.1 submits that in case the complaint has not already been considered and decided, the respondent no.1 shall look into the matter and take steps in accordance with the Regulations.

In view of the aforesaid statement of the learned counsel for respondent no.1 the petition filed by the petitioner is disposed of with a direction to the effect that in case the complaint filed by the petitioner against respondent no.4, Annexures P-4 to 6, has not been considered and decided by respondent no.2 till date, the respondent no.1 shall take steps in the matter in accordance with Regulation 8.7 of the Regulations and thereafter proceed with the matter and ensure that the matter reaches to a logical conclusion in accordance with law within the period stipulated in the Regulation itself.

With the aforesaid direction the petition, filed
by the petitioner stands disposed of.

C.C as per rules.

(R. S. JHA)
J U D G E

mms/-