

Court No. - 40

Case :- WRIT - C No. - 35939 of 2023

Petitioner :- Amar Pal Singh

Respondent :- State of U.P. and Another

Counsel for Petitioner :- Harikesh

Counsel for Respondent :- C.S.C.

Hon'ble Mahesh Chandra Tripathi,J.

Hon'ble Prashant Kumar,J.

1. Heard Shri Harikesh, learned counsel for the petitioner and learned Standing Counsel for the State-respondents.
2. By means of the present writ petition, the petitioner has prayed for a direction in the nature of mandamus commanding the concerned respondent authority to consider and decide the grievance in regard to application dated 18.09.2023 in the light of judgement dated 14.02.2003 passed by the Apex Court in Shubhash Bakshi and Others v. West Bengal Medical Council and Others.
3. In pith and substance, the petitioner is asking that his representation dated 18.09.2023 addressed to the Chief Medical Officer, District- Sambhal (second respondent) for redressal of his grievance may be decided in the light of judgement dated 14.02.2003 passed by the Apex Court in Appeal (Civil) No. 152 of 1994 (Shubhash Bakshi and Others v. West Bengal Medical Council and Others), expeditiously.
4. Learned Standing Counsel very fairly submits that, in case, any such representation is pending, the same would be decided by the concerned authority.
5. Considering the facts and circumstances, we are not inclined to keep the matter pending consideration.
6. In view of the above, without entering into the merit of the case, the writ petition stands disposed of directing the second respondent- Chief Medical Officer, District- Sambhal to consider and decide the representation of the petitioner by passing a reasoned and speaking order in accordance with law, in the light of the judgement passed in Subhash Bakshi (supra) expeditiously, preferably, within four weeks from the date of receipt of certified copy of this order.

Order Date :- 17.10.2023/ Rama Kant