

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP no.25698 of 2015(O&M)

Date of Decision : 09.12.2015

Dr .Ravinder Singh and others

....Petitioners

Versus

Punjab Medical Council and others

...Respondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

- 1)Whether reporters of local newspapers may be allowed to see the judgment?
- 2) To be referred to the Reporters or not?
- 3) Whether the judgment should be reported in the Digest?

Present : Mr. Mayank Mathur, Advocate for the petitioners

MAHESH GROVER, J.

The petitioners impugn Annexure P-4, the notice by which information is solicited from the petitioners and other such medical practitioners.

One of the information sought is regarding the PAN number and IT returns which the petitioners perceives to be unfair as it solicits information private in nature.

On due consideration of the matter, I am of the opinion that disclosing PAN number to the registering authority cannot be construed to be disclosure of the private information, particularly when the registering authority's object is laudable i.e to have a data base information of those medical practitioners who are registered with a particular State but practicing outside the

State. No fault can be found with the information sought and the proforma (Annexure P-4).

At this stage, learned counsel for the petitioners contends that notice also contemplates that if the entire information is not given, legal action would be initiated and in this eventuality petitioners would not be in a position to respond in the absence of any notice.

The impugned notice does not show that the action is to be taken straightway without following process of law. Therefore, the grievance is also mis-placed. It is presumptuous to state that the notice would not be issued to the petitioners regarding proposed action to be taken. Such a course adopted by any of the authorities is violative of principles of audi alteram partem. Therefore, petition is dismissed but with a note of caution to the competent authorities that in case any action is to be taken against any erring professional the basic niceties of principles of natural justice be observed.

December 09, 2015
rekha

(MAHESH GROVER)
JUDGE