

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 1171 OF 2003

Anuradha Ghanshyam Gupta VERSUS State of Maharashtra & Ors.

Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

None for the petitioner.
 Shri A.S.Fulzele Addl. Government Pleader for the respondents.

CORAM : SMT. VASANTI A. NAIK AND
A. S. CHANDURKAR, JJ.

DATE : JANUARY 05, 2016.

None for the petitioner when called. Shri A. S. Fulzele, learned Additional Government Pleader for respondent nos.1 and 2. With the assistance of the learned Additional Government Pleader we have perused the writ petition and the documents filed along with it. The petitioner seeks compensation of a sum of Rs. 5,00,000/- on the ground that the sterilisation operation performed on her was not successful. It is alleged that on account of negligence caused while performing said operation, the petitioner is entitled to be compensated.

Affidavit in reply has been filed on behalf of respondent no.1 and in para 11 thereof it has been stated that a Quality Assurance Committee was constituted for examining the grievance of the petitioner. Said Committee consisted of the Deputy Director of Health Services and seven experts who after due scrutiny came to the conclusion that there was no

negligence committed either during or after the family planning operation on the petitioner.

In view of aforesaid it would not be possible to consider the prayer made by the petitioner for grant of compensation in writ jurisdiction. Leaving the remedies of the petitioner open, we decline to entertain the writ petition for grant of compensation. The writ petition is therefore dismissed. Rule is discharged with no order as to costs.

JUDGE

JUDGE

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