

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No. 22468 of 2017

Date of decision : 03.10.2017

Vinod K. Wadhwa

....Petitioner

V/s

The Union of India & ors.

....Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Anupam Bhardwaj, Advocate for the petitioner.

RAJAN GUPTA J.

Petitioner has sought a writ in the nature of mandamus to direct the respondents to constitute an independent Medical Board of a Premier Medical Institute to find out the circumstances which lead to death of his daughter while admitted in a private hospital. Petitioner alleges that her daughter namely Ruhi had developed some medical problem 'Proteinuria' in May 2013 and was under treatment of Dr. Suresh Bhatia. The doctor told the petitioner that it was a minor ailment. During the course of treatment, he administered steroids to her daughter which resulted in aggravation of her condition. Petitioner thereafter consulted Dr. Jasleen, on the recommendation of Dr. Sukesh Bhatia, who started her treatment. She was diagnosed as a patient of Steven Johnson Syndrome (SJS) on 07.07.2013. As per Dr. Jasleen, development of SJS was a result of strong steroids administered to her. As her condition deteriorated, she was admitted in New Bhandari Hospital, Majitha Road, Amritsar on 21.07.2013 where she breathed her last. Petitioner alleges negligence by doctors during treatment of his daughter. It appears that petitioner never sought compensation before

any competent Forum. He only lodged complaints with the Commissioner of Police and Deputy Commissioner, Amritsar. An inquiry was also conducted on complaint of petitioner by three senior doctors of Govt. Medical College, Amritsar. It came to the conclusion that death of Ruhi, daughter of the petitioner, was not due to steroids administered to her. It held that postmortem was the only way to throw light on sudden cause of death. However, same was not conducted. It was, thus, very difficult to hold that there was negligence on part of doctors during the course of treatment. No FIR has been lodged. This court, thus, does not find any ground to seek report from the Medical Board of a Premier Medical Institution as no investigation is pending. There is no case for invoking writ jurisdiction of this court. Dismissed.

October 03, 2017

Ajay

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No