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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 6855/2017 & CM No. 28530/2017

RAKESH KUMAR BHATNAGAR

..... Petitioner

Through: Mr Raj Kumar Prasad and Mr D.
Kumar and Mr S. P. Verma,
Advocates.

versus

THE DELHI MEDICAL COUNCIL

..... Respondent

Through: Mr Praveen Khatta, Advocate.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **09.08.2017**

1. The learned counsel for the petitioner states that after filing the present petition, the petitioner has preferred an appeal before the Medical Council of India challenging the order dated 14.07.2017. In view of the same, no orders are required to be passed in this petition. However, the learned counsel for the petitioner insists that in the interregnum stage, the impugned order dated 14.07.2017 be stayed.

2. This Court is not inclined to accede to the said prayer as, *prima facie*, this Court finds no infirmity with the order dated 14.07.2017 passed by Delhi Medical Council (DMC). Admittedly, the petitioner was given a show cause notice by the DMC on 17.02.2017, which was duly responded to by the petitioner by his letter dated 27.02.2017. The aforesaid show cause notice was issued pursuant to a complaint filed by the Sub-Divisional

Magistrate who had found the pathology lab in question in shabby condition and looking suspicious. It is an admitted case that the petitioner used to go to Health Scope Path Lab located at C-3/75, New Kondli, Delhi-110096 since 20.11.2016. It is also admitted that the proprietor of the said laboratory, Mr Aditya Kumar Jha used to give reports to the petitioner and he would after inspecting the same, put his signature on them. The DMC had also examined Mr Aditya Kumar Jha and had found that he was completely ignorant of any knowledge of pathology. He also did not know the normal values of blood count. In the circumstances, the inference drawn by the DMC does not appear to be erroneous and does not warrant any interference at this stage.

3. The petition and the pending application are disposed of.

AUGUST 09, 2017
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VIBHU BAKHRU, J