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

+ W.P.(C) 7720/2017

GURPREET SINGH Petitioner
Through Mr. Ramneek Singh, Advocate.

versus

MEDICAL COUNCIL OF INDIA AND ORS Respondents
Through Mr. T. Singh Dev and Mr. Tarun Verma,
Advocates.

CORAM:
HON'BLE MR. JUSTICE VIBHU BAKHRU

% **ORDER**
05.09.2017

1. The petitioner has filed the present petition, *inter alia*, impugning the order dated 24.01.2017, passed by the Medical Council of India (hereafter as 'MCI') rejecting the petitioner's appeal against the order passed by the Delhi Medical Council (hereafter as 'DMC'), rejecting the petitioner's complaint of medical negligence in treatment of his mother. The petitioner states that his mother was being provided dialysis treatment on 14.02.2014 and, during the final stage of dialysis, she became seriously unwell and collapsed.
2. The grievance of the petitioner is that the doctor on duty (respondent no.4) did not immediately provide emergency aid and referred the patient to the casualty ward, which was at the other end of the building. The petitioner claims that it took more than 25 minutes for the patient to be transported to

the said unit.

3. It is stated that on 08.04.2014, the patient's blood pressure had fallen but the respondents had not administered the necessary NORED injection to revive her blood pressure. The petitioner's mother expired on 09.05.2014. It is stated that she expired on account of hypoxic brain damage.

4. The complaint of the petitioner was examined by the DMC and it was found that post hemodialysis, the patient had life threatening ventricular tachycardia, which is not uncommon; and the DMC concluded that there was no medical negligence that could be attributed to respondent no.4 who had administered medical treatment to the petitioner's mother.

5. Aggrieved by the decision of the DMC dated 25.05.2015, the petitioner preferred an appeal before the MCI, which was considered by the Ethics Committee. The said Committee also concurred with the view of DMC, which was subsequently approved by the Executive Committee of MCI on 16.03.2017.

6. The learned counsel appearing for the petitioner submitted that the petitioner was not heard on 23rd and 24th June 2017. The dates on which the Ethics Committee had considered the petitioner's appeal and, therefore, the impugned order is liable to be set aside.

7. It is apparent from the record that the petitioner's statement had been considered by the Ethics Committee. Respondent no.4 had also appeared before the Ethics Committee through counsel and the parties were heard. Although decision was taken subsequently, it was not necessary to once again provide a hearing to the parties. This Court finds no infirmity with the process adopted by the MCI.

8. It is seen that two professional bodies have examined the matter in

some detail and concluded that there was no medical negligence. This Court finds no reason to interfere with the same. Accordingly, the petition is dismissed.

9. It is clarified that this would not preclude the petitioner from pursuing or filing any other proceedings.

VIBHU BAKHRU, J

SEPTEMBER 05, 2017
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