

\$~39

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

+ W.P.(C) 8874/2017

MS. JANVI VIKARAM THAKKAR
AND ORS.

..... Petitioners

Through: Mr Raghav Mendiratta, Advocate.

versus

DELHI MEDICAL COUNCIL

..... Respondent

Through: Mr Praveen Khattar, Advocate.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **20.12.2017**

CM No.46473/2017

1. Allowed, subject to all just exceptions.

CM No.46471/2017 & W.P.(C) 8874/2017

2. Learned counsel for the petitioners states that the petitioners are willing to undergo the internship once again and requests that the provisional registration be granted for the said purpose. He also points out that the facts in the present case are identical to the case of Shri **Ankesh Rana and Anr. v. Delhi Medical Council: W.P.(C) 10703/2017**, which was disposed of by an order dated 01.12.2017.

3. In the said order, this Court had, *inter alia*, observed as under:-

“11. It is in this context that this Court suggested that it would be appropriate that the petitioners be permitted to take a fresh provisional registration and complete their internship afresh. The said suggestion was mentioned in the order dated 11.05.2017 passed in W.P. (C) 3382/2017

captioned as “Brajendra Karn & Ors v. Delhi Medical Council”. Pursuant to the aforesaid suggestion, the Executive Committee of the DMC has decided to permit the petitioners to apply afresh for a provisional certificate for undergoing the internship afresh in MCI approved institutions.

12. This Court considers the said course to be most apposite in the light of the facts of the present case. Accordingly, the prayers as made by the petitioners in this petition must be rejected. However, the petitioners would be at liberty to apply afresh for provisional registration, which would be considered in accordance with law.
13. The learned counsel for the petitioners submits that DMC has also made a criminal complaint for furnishing forged and fabricated internship certificate and it is apprehended that the DMC would also take further disciplinary action against the petitioners.
14. Since the DMC has already decided to take the punitive measure of cancelling the provisional registration and has now permitted them to apply afresh, no further disciplinary proceedings would be conducted by DMC and a closure would be brought to the matter in so far as the petitioners are concerned.
15. Insofar as the criminal case is concerned, this Court is refraining from making any observations in this regard and it would be open for the petitioners to contest the same at an appropriate stage.”

4. For the reasons stated in the aforesaid order, the present petition is disposed of by permitting the petitioners to make an application for provisional registration to complete their internship. The petitioners application for provisional registration shall be considered in accordance with law and having regard to the order dated 01.12.2017 passed in **Ankesh Rana and Anr. v. Delhi Medical Council** (*supra*) .

5. The petition is disposed of.
6. Consequently, the hearing scheduled on 29.01.2018 stands cancelled.
7. Order *dasti*.

VIBHU BAKHRU, J

DECEMBER 20, 2017
MK