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

+ W.P.(C) 1850/2018

DR NEVIL VISHNUBHAI PATEL Petitioner

Through Mr. Ashwin Kumar and
Ms. Surbhi Mehta, Advs.

versus

DELHI MEDICAL COUNCIL & ORS Respondents

Through Mr. Praveen Khattar, Adv. for R-1

Mr. T. Singhdev, Ms. Amandeep Kaur, Ms.
Puja Sarkar, Ms. Biakthansangi, Mr. Tarun
Verma and Mr. Abhijit Chakraborty, Advs.
for R-2

Mr. Kirtiman Singh, CGSC for R-3

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

% **27.02.2018**

CM Nos.7720-21/2018

1. Allowed, subject to all just exceptions.

W.P.(C) 1850/2018 & CM No.7719/2018

2. Learned counsel for the petitioner informs me that an appeal has been preferred against the order dated 30.1.2018, passed by the Delhi Medical Council/respondent no.1 with respondent no.2/ Medical Council of India (MCI). This is affirmed by Mr. Singhdev, who appears for respondent no.2/MCI.

3. Learned counsel for the petitioner seeks expeditious disposal of his appeal pending with respondent no.2/MCI.

4. The writ petition is disposed of with the direction to respondent no.2/MCI to dispose of the appeal of the petitioner as expeditiously as possible, though, not later than eight weeks from today.

5. Furthermore, it is made clear that respondent no.2/Medical Council of India will not reject the appeal on the ground of jurisdiction. This aspect is noted since Mr. Khattar, who appears for respondent no.1/Delhi Medical Council, has made a submission that an appeal against its order will lie with the Central Government.

5.1 Mr. Singhdev, on the other hand has explained the background, in which appeals are lodged with respondent no.2/ MCI under Regulation 8.8 of the India Medical Council (Professional Conduct, Etiquette and Ethics) Regulation, 2002.

5.2 Since, this explanation has been put forth on behalf of MCI in other cases as well, I am inclined to agree with the counsel for the petitioner and respondent no.2/ MCI that the appeal can be heard and disposed of by respondent no.2/ MCI, as indicated above, notwithstanding the objection of Delhi Medical Council/ respondent no.1.

6. No costs.

RAJIV SHAKDHER, J

FEBRUARY 27, 2018

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