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

+ LPA 625/2018

HARIKESH BAHADUR SINGH Appellant
Through: Mr. Saransh Kumar, Adv.

versus

MEDICAL COUNCIL OF INDIA & ORS. Respondents
Through: Mr. T. Singhdev, Adv. for R-1.
Mr. Bhagvan Swarup Shukla, CGSC
with Mr. Kamaldeep, Adv. for
R-3/UOI.

CORAM:
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE V. KAMESWAR RAO

% **ORDER**
02.11.2018

CM APPL. 46267/2018 & CM APPL. 46268/2018 *(both for exemption)*

Allowed, subject to just exceptions.

Both the applications stand disposed of.

LPA 625/2018 & CM APPLs. 46265/2018 & 46266/2018

1. Seeking exception to an order passed by the writ court on 01.10.2018 in W.P.(C) 10449/2018, this appeal has been filed under Clause 10 of the Letters Patent.
2. Appellant is a person residing in Azamgarh, Uttar Pradesh. He was aggrieved by inaction on the part of Uttar Pradesh Medical Council, Lucknow on taking action on his complaint against respondent No.5 –

Medical Superintendent of Sir Sunderlal Hospital, Banaras Hindu University, Varanasi. The writ petition was filed in Delhi and the learned writ court found that the complaint was referred by the Indian Medical Council under the Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulations, 2002 for enquiry to the Uttar Pradesh Medical Council. As the Uttar Pradesh Medical Council was seized of the matter, the prayer made for transfer of the complaint to the Medical Council of India (MCI) has been rejected on the ground that the MCI has already directed the Uttar Pradesh Medical Council to decide the pending complaint within a reasonable period of time.

3. Considering all these factors, we see no reason to make any indulgence into the matter with regard to rejection of appellant's prayer seeking transfer of the matter back to MCI for enquiry. The Uttar Pradesh Medical Council is directed to proceed with the matter in accordance with law and ensure conclusion of enquiry within a reasonable period of time.

4. With the aforesaid, the appeal stands disposed of. The pending applications also stand disposed of accordingly.

CHIEF JUSTICE

V. KAMESWAR RAO, J

NOVEMBER 02, 2018

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