

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-30794-2018 (O&M)
Date of Decision: 17.01.2019

Suresh Kumar Bansal & another

--Petitioners

Versus

State of Punjab & others

--Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. G.S. Dhindsa, Advocate for the petitioners.

TEJINDER SINGH DHINDSA.J (Oral)

As per averments made in the petition, daughter of petitioner no.1 namely Rajni Bala was admitted to D.M.C., Ludhiana on 13.2.2015 and was to undergo a Kidney Transplant Operation on 17.2.2015. It has been asserted on behalf of the petitioners that having administered anesthesia there was medical negligence on account of which a cut was given on the inner side which resulted in internal bleeding. The operation was canceled and on 28.2.2015 the patient was discharged with the advise that the Kidney Transplant Operation would be conducted after a period of two weeks. Daughter of petitioner no.1 expired on 1.4.2015. Allegations are that the death occurred on account of medical negligence of the doctor concerned.

Petitioner no.1 is stated to have moved a complaint/application to the Deputy Commissioner, Bathinda.

Counsel adverts to the communication dated 22.6.2015 (Annexure P-1) from the office of the Deputy Commissioner, Bathinda to the Secretary to the State Govt., Health and Family Welfare and a perusal of the same would reveal that the matter had been inquired into by the Civil Surgeon, Bathinda and a report has since been received. Matter accordingly

was referred to the State Govt. by the Deputy Commissioner recommending that an inquiry be conducted and thereafter disciplinary action be taken.

The precise grievance raised in the petition is that inspite of such communication dated 22.6.2015 (Annexure P-1) having been addressed to the State Govt., no further action in the matter has been taken till date.

Counsel submits that he is confining the prayer in the instant petition only for issuance of directions to respondent no.1 to look into the matter and to proceed further.

In the light of such prayer made, I deem it appropriate to dispose of the instant writ petition without even ascertaining the correctness of the averments made in the petition, with a direction to respondent no.1 to look into the matter against the backdrop of the communication dated 22.6.2015 (Annexure P-1) and to thereafter take necessary steps as he may deem fit and mandated in accordance with law.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

17.01.2019

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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No