

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-24539-2019 (O&M)
Date of Decision: 05.09.2019

Tarun Saini & another

--Petitioners

Versus

State of Punjab and others

--Respondents

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

Present:- Mr. K.D. Saini, Advocate for the petitioners.

TEJINDER SINGH DHINDSA.J (Oral)

Wife of the petitioner namely Sonia was stated to be admitted to Civil Hospital, Sangrur on 30.10.2018 for a delivery. She was thereafter referred to Rajendra Hospital, Patiala for further management. Wife of the petitioner was declared dead at 5.45 AM on 31.10.2018 at Rajendra Hospital, Patiala.

Instant writ petition seeks a Mandamus for directing the respondents to compensate the petitioners to the tune of Rs.1,25,00,000/- on account of medical negligence and which led to the death of the wife of the petitioner.

For the prayer in the instant petition to sustain, petitioners would have to lead evidence to conclusively prove any medical negligence at the hands of the doctors concerned. The material placed on record cannot be treated to be conclusive and sufficient in this regard.

As such, while declining to intervene in the matter, liberty is granted to the petitioners to pursue the claim as regards compensation before the appropriate forum and as advised.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

05.09.2019

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