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

+ W.P.(C) 3820/2019

DR. NEERAJ AGGARWAL

..... Petitioner

Through: Mr Nazim Husain Qureshi and Mr
Mujeeh Khan, Advocates.

versus

DELHI MUNICIPAL COUNCIL

..... Respondent

Through: Mr Praveen Khattar with Mr Bapi
Das, Advocates for R-1 with Mr L.
D. S. Uppal, Asst. Secretary, DMC.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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15.04.2019

CM No.17407/2019

1. Allowed, subject to all just exceptions.

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2. The petitioner has filed the present petition, *inter alia*, praying that the operation of the order dated 15.03.2019 passed by the Delhi Medical Council (DMC) imposing the punitive measure of removal of the petitioner's name from the State Medical Register be stayed, till the petitioner's appeal is decided by the Medical Council of India.

3. The learned counsel appearing for the DMC submits that the conduct of the petitioner does not warrant any interim relief. He has handed over a copy of the medical certificate issued by the petitioner, which was sent by the learned MM to the DMC for enquiry.

4. Although it does appear from the said certificate that the petitioner had sought to represent himself as a doctor of Safdarjung Hospital, nonetheless, this Court is of the view that the petitioner ought to have full opportunity to pursue his appeal. Undisputedly, if the impugned order is not stayed and the punitive measure is implemented, the petitioner's appeal would stand frustrated.
5. In view of the above, the impugned order is stayed till the Medical Council of India (or Board of Governors) renders a decision on the appeal preferred by the petitioner.
6. The petition is disposed of.
7. Order *dasti* under signatures of the Court Master.

VIBHU BAKHRU, J

APRIL 15, 2019
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