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IN THE HIGH COURT OF DELHI AT NEW DELHI

W.P.(C) 1907/2017

ISTAKHAR HAMAD

..... Petitioner

Through: Mr.Shailendra Bhardwaj, Mr.Aroma
S.Bhardwaj, Advs.

versus

THE SECRETARY, MEDICAL COUNCIL OF INDIA

..... Respondent

Through: Mr.T.Singhdev, Ms.B.Das, Ms.Puja
Sarkar, Ms.Sumangla, Mr.Abhijit Chakravarty,
Advs. for R-1.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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03.02.2020

This petition has been filed by the petitioner challenging the order dated 27.05.2016 passed by the respondent informing the petitioner that he is not entitled for grant of permanent registration under Section 13(3) of the Indian Medical Council Act, 1956.

The learned counsel for the respondent fairly submits on instructions that in terms of the Public Notice dated 21.04.2014, which had in turn referred to the meeting of the Executive Committee held on 16.04.2014 deciding that all pending applications for provisional registration/permanent registration of foreign graduates shall be made only to the concerned State Medical Council(s), the Impugned Order could not have been passed by the respondent.

In view of the above, the Impugned Order is set aside having been passed without jurisdiction.

The petitioner may apply to the concerned State Medical Council who may consider the application of the petitioner without being influenced by the Impugned Order dated 19.07.2016.

The petition is allowed in the above terms.

NAVIN CHAWLA, J

FEBRUARY 03, 2020
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