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

+ **LPA 750/2023 & CM APPL. 59758-59759/2023**

BHUSHAN KUMAR SINGHAL

..... Appellant

Through: **Mr. Prashant Vaxish, Mr. Shubham
Chopra, Advocates**

versus

NATIONAL MEDICAL COMMISSION & ORS. Respondents

Through: **Mr. T. Singhdev, Mr. Tanishq
Srivastava, Mr. Abhijit Chakravarty,
Mr. Bhanu Gulati, Ms. Anum
Hussain, Mr. Aabhaas Sukhramani,
Mrs. Ramanpreet Kaur, Advocates for
R-1/NMC**

**Mr. Praveen Khattar, Advocate for R-
2/DMC**

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Date of Decision: 20th November, 2023

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MS. JUSTICE MINI PUSHKARNA

J U D G M E N T

1. The present appeal has been filed challenging the judgment dated 05th October, 2023 passed by the learned Single Judge in *W.P.(C) 12723/2021*. By the impugned judgment, the learned Single Judge dismissed the writ petition filed on behalf of the appellant by which the appellant had sought cancellation of license of practice of respondent nos. 3 to 5 herein with further prayer for setting aside the order dated 08th August, 2019 passed by the National Medical Commission.

2. Facts of the case in brief are as follows:



2.1 The brother of the appellant, Mr. Pawan Kumar experienced minor chest pain at his residence in Kurukshetra on 28th March, 2016. The appellant along with his brother consulted respondent no.3, namely, Dr. B.B. Chanana. The said doctor prescribed medicines and suggested admitting the brother of the appellant in Maharaja Agrasen Hospital, New Delhi as he required urgent treatment. Thus, the brother of the appellant was admitted in Maharaja Agrasen Hospital on 31st March, 2016.

2.2 Emergency angiography was conducted on the brother of the appellant. After assessing his situation, the family members present in the Cath Lab were advised immediate PTCA treatment, which is a minimal invasive treatment for opening blocked coronary arteries to increase the blood flow with stenting the left interior descending (LAD) artery. However, the said procedure could not be undertaken by the doctors owing to the time taken by the family to arrive at a decision. In the meantime, the health situation of the brother of the appellant deteriorated and he was put on life saving ventilator. Shortly thereafter, brother of the appellant passed away on 01st April, 2016 after he suffered a heart attack.

2.3 The appellant filed a complaint against the respondent nos. 3 to 5 before Police Station, Rohini North. The police station referred the complaint to respondent no.2, i.e., Delhi Medical Council. The Delhi Medical Council by its order dated 04th July, 2017 concluded that the deceased was treated as per the accepted professional practice and no case of medical negligence was made out.

2.4 The appellant thereafter approached the Delhi Medical Council alleging medical negligence in the nature and manner of treatment administered to his brother under the Indian Medical Council Act. The Delhi



Medical Council reiterated its earlier findings and by its order dated 01st January, 2018 held that no medical negligence was made out in the treatment administered to the deceased brother of the appellant.

2.5 Appellant thereafter filed an appeal before the erstwhile Medical Council of India (*now National Medical Commission*) challenging the order dated 04th July, 2017 passed by the Delhi Medical Council. By its order dated 08th August, 2019, the erstwhile Medical Council of India (*now National Medical Commission*) upheld the order dated 04th July, 2017 passed by the Delhi Medical Council and found no negligence on behalf of respondent nos. 3 to 5 in treating the brother of the appellant.

2.6 Additionally, the appellant also filed a complaint on 24th August, 2018 against the Maharaja Agrasen Hospital with the Chief Minister of Delhi during the Chief Minister's Janta Samvad. Thus, vide order dated 31st August, 2018, a Committee was directed to be constituted by the Chief Minister of Delhi under the Directorate General of Health Services, Delhi to enquire into the case regarding any negligence by the said hospital in giving treatment to the appellant's brother. The said Committee conducted an enquiry and issued a final enquiry report dated 19th February, 2019 thereby concluding that the case of the brother of the appellant was handled as per medical practice and in line with the acceptable protocol.

2.7 Subsequently, the petitioner again made representation before the Chief Minister to reconsider and reconstitute the committee to initiate a fresh enquiry. Thus, vide order dated 08th May, 2019, the Chief Minister directed the Department of Health and Family Welfare, GNCTD to record the proceedings and give an opportunity of being heard to all the stakeholders before concluding the enquiry proceedings.



2.8 Since no further steps were taken by the Department of Health and Family Welfare, GNCTD pursuant to order of the Chief Minister of Delhi, the appellant filed writ petition being *W.P.(C) 452/2021*. Vide order dated 13th January, 2021, this Court directed that a Special Committee be constituted consisting of a special board of doctors of AIIMS which was to be headed by the Chief of Cardio Thoracic Sciences Centre for examining the case on merit. The Committee was directed to hear all the parties and submit a reasoned enquiry report to the GNCTD for appropriate action, if any.

2.9 In the meantime, the appellant also lodged an FIR on 08th April, 2021 at Police Station, Rohini North against the hospital and respondent nos. 3 to 5.

2.10 The Committee constituted under the orders of the Chief Minister presented its report on 11th September, 2021. In the said report, it was stated that Dr. Subhash Gupta was not trained to perform angiography and hence was not qualified to sign on angiography report. However, it was concluded that the brother of the appellant was given adequate care and was largely treated in line with the standard management protocols.

2.11 In view of the aforesaid report dated 11th September, 2021, the appellant filed writ petition, being *W.P.(C) 12723/2021* before this Court. By way of the impugned judgment dated 05th October, 2023, learned Single Judge dismissed the petition filed on behalf of the appellant. Hence, the present appeal has been filed.

3. Learned counsel appearing for the appellant submits that the appellant was never called for any hearing by the Delhi Medical Council upon his complaint which was forwarded to it by the Police Station, Rohini North.



Therefore, the order dated 04th July, 2017 passed by the Delhi Medical Council without calling for the entire medical records and without hearing the appellant herein, is unjustified and arbitrary. He submits that the learned Single Judge failed to acknowledge the materials placed on record by the appellant as well as the respondents. The orders dated 04th July, 2017 issued by the Delhi Medical Council and 08th August, 2019 issued by the National Medical Commission are liable to be set aside being arbitrary, unjustified and being bad in the eyes of law.

4. It is further contended on behalf of the appellant that the order dated 08th August, 2019 passed by the National Medical Commission is a non speaking order. The said order has been passed without recording the entire facts, contentions and objections of the appellant and the reasoning behind the conclusion by the National Medical Commission.

5. Learned counsel for the appellant submits that the learned Single Judge has erroneously opined that the appellant did not disclose all the relevant facts, as the appellant had disclosed all the facts before the court. Further, the learned Single Judge had failed to appreciate the findings drawn by the AIIMS Committee, wherein the AIIMS Committee opined various errors at the hands of the treating doctors, due to whose negligence, the brother of the appellant succumbed to death.

6. Per contra, learned counsel appearing for the respondents has justified the impugned judgment passed by the learned Single Judge.

7. Having heard learned counsel for the parties and upon perusal of the documents on record, it is manifest that there are concurrent findings by the expert bodies to the effect that the treatment administered to the brother of the appellant was as per medical practice and in line with the accepted



protocol.

8. The Delhi Medical Council considered the allegations of professional misconduct and medical negligence in the treatment of the brother of the appellant. Vide its order dated 04th July, 2017, the Delhi Medical Council concluded that the brother of the appellant was treated as per accepted professional practice and that he had passed away due to the consequence of acute Myocardial Infraction (“MI”) and Left Ventricle Failure (“LVF”). The Delhi Medical Council also concluded that there was no medical negligence made out in the treatment administered to the brother of the appellant. The order dated 04th July, 2017 issued by the Delhi Medical Council is reproduced here as under:

“DMC/DC/F.14/Comp.2099/2/2017/

4th July, 2017

ORDER

The Delhi Medical Council through its Executive Committee examined a representation from police, seeking medical opinion on a complaint of Shri Bhushan Kumar Singhal s/o Shri Ishwar Chand r/o H.No. C-441, Saraswati Vihar, Delhi alleging medical negligence on the part of Dr. B.B. Chanana in the treatment administered to complainant's brother Shri Pawan Kumar at Maharaja Agrasen Hospital, resulting in his death on 01.04.2016.

The Order of the Executive Committee dated 4th July, 2017 is reproduced herein-below:

The Executive Committee of the Delhi Medical Council examined a representation from police, seeking medical opinion on a complaint of Shri Bhushan Kumar Singhal s/o Shri Ishwar Chand r/o H.No. C-441, Saraswati Vihar, Delhi (referred hereinafter as the complainant), alleging medical negligence on the part of Dr. B.B. Chanana in the treatment administered to complainant's brother Shri Pawan Kumar (referred hereinafter as the patient) at Maharaja Agrasen Hospital, West Punjabi, New Delhi – 110026 (referred hereinafter as the said Hospital), resulting in his death on 01.04.2016.

The Executive Committee perused the representation form police, complaint of Shri Bhushan Kumar Singhal and other documents as provided by the police.



The Executive Committee notes that the patient, Shri Pawan Kumar 55 yrs male was admitted at night 9.30 pm on 31.03.2016 in the said hospital with diagnosis of Acute Anterior wall MI with persisted Angina. He underwent Coronary Angiography at night soon after admission under written consent Coronary Angiography done revealed proximally 100% blocked LAD. While family members were discussing for PTCA to LAD for about 20-25 minutes, in Cath Lab the patient developed acute LVF and was put on Bipap support along with decongestive therapy. PTCA was postponed inspite of consent given by attendants because of acute LVF. He was shifted to Heart Command and managed for LVF, but he had persistent pulmonary edema, so intubated after half an hour in Heart Command and put on ventilator support. He had multiple episode of cardiac arrest, resuscitated as per ACL protocol, but could not be revived and declared dead at 6:41 pm on 01.04.2016.

It is opined that the patient was treated as per accepted professional practices in such cases and the patient died because of the consequence of acute MI and LVF. It is, therefore, the decision of the Executive Committee that no case of medical negligence is made out in the treatment administered to late Pawan Kumar at Maharaja Agrasen Hospital.

Matter stands disposed.

Sd/: (Dr. Vinay Aggarwal)

Member, Executive Committee

Sd/: (Dr. Ajay Gambhir)

Member, Executive Committee

Sd/: (Dr. Satendra Singh)

Member, Executive Committee

Sd/: (Dr. Vimal Mehta)

Expert Member

Executive Committee

The order of the Executive Committee dated 04th July, 2017 was confirmed by the Delhi Medical Council in its meeting held on 6th July, 2017

*By the Order & in the name of
Delhi Medical Council*

*(Dr. Girish Tyagi)
Secretary”*

(Emphasis Supplied)

9. The appellant had made a fresh complaint to the Delhi Medical



Council raising similar allegations of professional misconduct and medical negligence in the treatment of his brother. However, by its order dated 01st January, 2018, the Delhi Medical Council reiterated its earlier decision dated 04th July, 2017 and held that prima facie no negligence is made out in the treatment administered to brother of the appellant. The order dated 01st January, 2018 issued by the Delhi Medical Council is reproduced here as under:

“Delhi Medical Council

*308 A, 3rd Floor, Administrative Block
Maulana Azad Medical College ,
Bahadur Shah Zafar Marg,
New Delhi- 110 002*

DMC/DC/F.14/Comp.2232/2/20 17/268384

01st January, 2018

*Shri Bhushan Kumar Singhal
C-441, Saraswati Vihar,
New Delhi- 110034*

The Delhi Medical Council examined a complaint of Shri Bhushan Kumar Singhal, r/o- C- 441, Saraswati Vihar, New Delhi-110034, alleging medical negligence on the part of doctors of Maharaja Agrasen Hospital, Punjabi Bagh, New Delhi-110026, in the treatment administered to complainant's brother Shri. Pawan Kumar, resulting in his death on 01.04.2016 at Maharaja Agrasen Hospital.

*The Delhi Medical Council noted that on an earlier occasion the Delhi Medical Council had examined and determined the issue of medical negligence on a representation from the Police Station, North Rohini, in respect of treatment administered to the late Pawan Kumar at Maharaja Agrasen Hospital vide order no. DMC/DC/F.14/Comp.2099/2/2017/263394 dated 13th July, 2017 **holding that prima facie no negligence is made out in treatment administered to late Pawan Kumar at Maharaja Agrasen Hospital. In view of the same no further action is required in complaint no. 2232. The Order no. DMC/DC/F.14/Comp.2099/2/2017/263394 dated 13th July, 2017 is attached herewith for your information and record.***

*(Dr. Girish Tyagi)
Secretary”*

(Emphasis Supplied)



10. Subsequently, upon appeal filed on behalf of the appellant, the Ethics Committee of the erstwhile Medical Council of India (*now National Medical Commission*) in its meeting held on 19th February, 2019 heard submissions of the appellant herein as well as respondent no.3, Dr. B.B. Chanana and respondent no.4, Dr. Subhash Gupta. The Ethics Committee of the erstwhile Medical Council of India (*now National Medical Commission*) in its meeting dated 19th February, 2019 after due discussion and deliberation upheld the order dated 04th July, 2017 passed by the Delhi Medical Council, wherein it had been concluded that no case of medical negligence or professional misconduct was made out in the treatment administered to the brother of the appellant.

11. The aforesaid decision of the Ethics Committee of the erstwhile Medical Council of India (*now National Medical Commission*) dated 19th February, 2019 was considered by the Board of Governors of the erstwhile Medical Council of India (*now National Medical Commission*) in its meeting held on 11th May, 2019 and was subsequently approved. Thereafter, the aforesaid decision of the erstwhile Medical Council of India (*now National Medical Commission*) was conveyed to the parties vide communication dated 08th August, 2019, which reads as under:

**“BOARD OF GOVERNORS
IN SUPERSESSION OF MEDICAL COUNCIL OF INDIA**

No.-MCK- 211(2)(04.04)/2018-Expert Committee/137713

Dated: 08.08.2019

*Shri. Bhushan Kumar Singhal
Resident-C-441, Sarasvati Vihar
Delhi- 110034*

Subject- In correspondence of Appeal filed by Shri. Bhushan Kumar



Singhal dated 13.04.2018 against the order passed by Delhi Medical Council dated 04.07.2017.

Sir,

I have been directed to inform you that the Expert Committee in its various meetings has accepted the appeal filed by Shri. Bhushan Kumar Singhal dated 13.04.2018 against the order passed by Delhi Medical Council dated 04.07.2017.

*This is to inform you that the captioned matter considered by the expert committee on 19.02.2019. **The opinion of the Expert Committee has been upheld by the board on 11.05.2019, the copy of the order also has been attached for your information and necessary action.***

Yours Sincerely

-SD-

*Dr. Hans Raj Baweja
Consultant*

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**BOARD OF GOVERNORS
IN SUPERSESSION OF MEDICAL COUNCIL OF INDIA**

No. MCI – 211(2) (04-Appeal)/2018-Ethics/

ORDER

I am directed to inform you that the Ethics Committee at its various meetings considered the matter with regard to appeal dated 13.04.2018 filed by Sh. Bhushan Kumar Singhal against order dated 04.07.2017 passed by Delhi Medical Council.

The Ethics Committee decided as under:-

“...The Ethics Committee at its meeting held on 30th and 31st May, 2018 considered an appeal dated 13.04.2018 (received in the council office on 16.04.2018) filed by Sh. Bhushan Kumar Singhal against order dated 04.07.2017 passed by Delhi Medical Council.

The Ethics Committee after scrutiny of the appeal and enclosed documents, noted that Delhi Medical Council through its Executive Committee examined a representation from Police, seeking medical opinion on a complaint of Shri Bhushan Kumar Singhal S/o Shri Iswar Chand R/o H.No. C-441, Saraswati Vihar, Delhi alleging medical negligence on the part of Dr. B.B. Chanana in the treatment administered to complainant's brother Shri Pawan Kumar at Maharaja Agrasen Hospital, resulting in his death on 01.04.2016.

Further, the Committee noted that Sh. Bhushan Kumar Singhal has



filed an appeal against Dr. B.B Chanana, Dr. Subhash Gupta & Dr. B.P. Yadav alleging medical negligence in the above said matter.

The Committee further noted that the Delhi Medical Council after examination of complaint and hearing all the concerned doctor and others, passed an order on 04.07.2017, the relevant part of the order of Delhi Medical Council is as under:-

*“.....it is opined that the patient was treated as per accepted professional practices in such cases and the patient died because of the the consequence of acute MI and LVF. It is, therefore, the decision of **the Executive Committee that no case of medical negligence is made out in the treatment administered to late Sh. Pawan Kumar at Maharaja Agrasen Hospital.***

Matter stands disposed.

The Order of the Executive Committee dated 04th July, 2017 was confirmed by the Delhi Medical Council in its meeting held on 6th July, 2017.”

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The above matter was considered by the Ethics Committee at its various meetings and lastly on the meeting held on 19th February, 2019. The operative part of proceedings of the said meeting is reproduced as under:-

“.....The Committee after going through the case records and the prayer of the appellant Sh. Bhushan Kumar Singhal, noted that the patient, Shri Pawan Kumar 55yrs male was admitted at night 9:30 pm on 31.03.2016 at Maharaja Agrasen Hospital with diagnosis of Acute Anterior wall MI with ongoing chest pain, screening ECHO showed EF of 30%. He underwent Coronary Angiography at night soon after admission under written consent which revealed proximally 100% blocked LAD and 90% blockage in RCA. Immediate PTCA with stenting of LAD was advised for which family members took about 20-25 minutes in providing consent. Before performing PTCA, it was noted that patient had orthopnea and he developed acute LVF and the procedure was not started and was postponed as patient developed complication of MI. He was thereafter shifted to Heart Command and managed but he had persistent pulmonary edema with respiratory distress and bradycardia. He was resuscitated, put on the ventilator support. Thereafter he had multiple episodes of cardiac arrest, resuscitated but could not be revived and was declared dead at 6:41 pm on 01.04.2016.

The Committee deliberated upon the matter at length and noted the order of the Delhi Medical council, wherein it is opined that the patient was treated as per accepted professional practices in such cases and the



patient died because of the consequence of acute MI and LVF and decided that no case of medical negligence is made out in the treatment administered to Late Sh. Pawan Kumar at Maharaja Agrasen Hospital.

(Emphasis Supplied)

12. A perusal of the documents on record demonstrates that the appellant had also approached the Chief Minister of Delhi with allegations of medical negligence and wrong treatment of his brother. Pursuant to the same, a Committee was constituted by the Directorate General of Health Services. The said Committee by its final enquiry report dated 01st February, 2019, as communicated by 19th February, 2019 unanimously concluded that the brother of the appellant was handled as per medical practice and in line with acceptable protocol of treatment. The final enquiry report of the Committee constituted by the Directorate General of Health Services, GNCTD reads as under:

“Final Inquiry Report

The committee constituted by Medical Superintendent, Nursing Home, DGHS (HQ), vide order No. F.23/comp/56/WD/DGHS/NH/HQ/2018/440-43 dated 04/06/2018, Regarding allegation made by Sh. Bhushan Kumar Sigal regarding negligence, incompetence and fabrication of Medical records done by Doctors and staff of Maharaja Agarsen Hospital, Punjabi Bagh New Delhi-110026 (Patient Mr. Pawan Kumar I.P. No 1612339. CR No. 1001207596, date of admission 31.03.2016), comprise of members is as under:-

- 1. Dr. Sumita Kanwar (HOD, Medicine), SGMH, Mangolpuri, New Delhi - Chairman*
- 2. Dr. Manoj Kumar Gami (HOD, Medicine), GGSG Hospital, Raghubir Nagar, New Delhi – Member*
- 3. Dr. Yogesh Kataria, (SMO, DGHS, NHC(HQ)) – Convenor*

Further, in continuation of proceeding during a review meeting under the chairmanship of Secretary (Health) dated 17/10/2018, it was decided to include a cardiologist from GB Pant Hospital as co-opted member in the committee already constituted vide order dated 04/06/2018. Accordingly, 4th Member of concerned speciality included vide order no.F.23/comp/56/WD/DGHS/NH/HQ/2018/PF/2013-18



dated 22/10/2018, named Dr. Sanjeev Kathuria, Assistant Professor (Cardiology), GIPMER, New Delhi- 110002.

Now the committee comprise of 4 (four) members is as under:-

1. Dr. Sumita Kanwar - Chairman
2. Dr. Manoj Kumar Gami - Member
3. Dr. Sanjeev Kathuria - Member
4. Dr. Yogesh Kataria - Convenor

Final opinion and conclusion

The committee unanimously is of the opinion that the case under consideration was handled as per medical practice and in the line with acceptable protocol. One already accepted mistake by the treating physician is regarding the mentioning of septicemic shock in the death certificate. This mistake seems to form part of RMO who made the death certificate and which is nowhere mentioned in the treatment as part of the diagnosis. Barring that, the administrative discrepancies with regard to consent form, timings (Angiography, Intubation etc.) doesn't fall under the purview of this committee.

1. Dr. Sumita Kanwar - Chairman
2. Dr. Manoj Kumar Gami - Member
3. Dr. Sanjeev Kathuria - Member
4. Dr. Yogesh Kataria - Convenor"

(Emphasis Supplied)

13. Even the Committee of doctors of AIIMS, New Delhi, in its report dated 11th September, 2021 has determined that the brother of the appellant was largely treated in line with standard management protocols.

14. Thus, it is clear that there are concurrent findings by the expert medical bodies that there was no medical negligence and professional misconduct on behalf of respondent nos. 3 to 5. This Court under its power of judicial review will not interfere with the opinion of the medical experts by assuming the role of an expert body. The Court does not have the expertise to render any opinion contrary to that of an expert medical body. Courts normally do not interfere in such matters except in very rare and



exceptional cases. Thus, Supreme Court in the case of ***Martin F. D'souza Versus Mohd. Ishfaq***¹, has held as follows:

“111. The courts and the Consumer Fora are not experts in medical science, and must not substitute their own views over that of specialists. It is true that the medical profession has to an extent become commercialised and there are many doctors who depart from their Hippocratic oath for their selfish ends of making money. However, the entire medical fraternity cannot be blamed or branded as lacking in integrity or competence just because of some bad apples.

112. It must be remembered that sometimes despite their best efforts the treatment of a doctor fails. For instance, sometimes despite the best effort of a surgeon, the patient dies. That does not mean that the doctor or the surgeon must be held to be guilty of medical negligence, unless there is some strong evidence to suggest that he is.”

15. This Court also notes that the learned Single Judge has categorically recorded that the appellant herein had suppressed the decisions dated 04th July, 2017 passed by the Delhi Medical Council and 08th August, 2019 passed by the National Medical Commission, at the time of approaching the Chief Minister of Delhi for conduct of an enquiry on his allegations regarding medical negligence in treating his brother. Thus, learned Single Judge has held as follows:

“21. It is also an admitted fact that the Petitioner before approaching this Court vide the present petition had approached the Chief Minister of Delhi in Janta Samvad proceedings praying for conduction of an inquiry into the allegations of medical negligence and professional misconduct made by him against the Respondent Nos. 3 to 5, by suppressing the Order dated 04.07.2017 passed by Respondent No.2 and Order dated 08.08.2019 passed by Respondent No.1/erstwhile MCI. The Chief Minister of Delhi in pursuance to the request made by the Petitioner herein directed the Department of Health and Family Welfare of GNCTD to conduct an inquiry into the allegations of medical negligence and wrong treatment meted out to the Petitioner's brother/deceased patient herein.”

¹ 2009 SCC OnLine SC 365



16. Further, the learned Single Judge has held in categorical terms that the appellant herein had approached this Court with unclean hands by suppressing material information. The relevant portion of the judgment dated 05th October, 2023 passed by the learned Single Judge reads as follows:

“24. This Court is of the opinion that the Petitioner herein without disclosing the Orders passed by the Respondent No.1 and 2 herein dated 04.07.2021, 01.01.2018 and 08.08.2019 and without impleading the Respondent No.1 and 2, secured orders dated 13.01.2021 and 13.04.2021 in W.P. No.452/2021. This Court vide Order dated 13.01.2021 had directed a fresh inquiry by a committee of doctors of AIIMS, New Delhi into the allegations made by the Petitioner by granting an opportunity of being heard to the parties and to submit a report to the GNCTD for appropriate action to that being aware of the fact that the Respondent Nos.1 and 2 had already considered the case of the Petitioner and had exonerated the Doctor concerned.

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26. This court is of the opinion from the perusal of the above facts and arguments advanced by the counsel appearing for the respondents that the Petitioner herein has approached this Court with unclean hands by suppressing material information and has misled this Court with the view of obtaining favorable orders. A litigant who hides facts which are in his knowledge has no right to be heard on the merits of his grievances.”

17. In view of the detailed discussion hereinabove, this Court finds no infirmity with the impugned judgment passed by the learned Single Judge. The present appeal is accordingly dismissed along with the pending applications.

ACTING CHIEF JUSTICE

MINI PUSHKARNA, J

NOVEMBER 20, 2023/au