

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****CIVIL WRIT PETITION NO. 10665 OF 2024**

ABC	]	
Age 27 years	]	
Maharashtra	]	... Petitioner
V/s.		
1. State of Maharashtra	]	
Through Government Pleader, Mumbai	]	
2. State of Maharashtra	]	
Through its Principal Secretary	]	
Public Health Department,	]	
Dhobi Talao, CST, Fort,	]	
Mumbai – 400 001	]	
3. J.J. Group of Hospitals and Grant Medical	]	
Through its Medical Board	]	
College, J.J. Marg,	]	
Nagpada – Mumbai Central,	]	
Off Jijabhoy Road, Mumbai,	]	
Maharashtra – 400 008	]	... Respondents

Mr. Ashley D. Cusher for Petitioner.

Mrs. M.P. Thakur, A.G.P. for Respondent No.1-State.

**CORAM : A. S. GADKARI AND
DR. NEELA GOKHALE, JJ.**

DATE : 1st August 2024.

P.C. :

1) In pursuance of Order dated 30th July 2024, the Registry has received a sealed envelope from Sir J.J. Group of Hospitals & Grant Govt. Medical College, Mumbai (for short, "said Hospital"). The said envelope is opened in Court. It contained a letter dated 31st July 2024, signed by Dr. Sanjay Surase, Medical Superintendent of said hospital. By the said communication, the said Authority has asked for extension of time upto 2nd August 2024 for submitting Report to this Court. The said letter dated 31st July 2024, is accompanied with a letter of even date, signed by Dr. Ashok Anand, Unit Head, Unit No.3, Department of Gynecology and Obstetrics of said Hospital. It is stated therein that, the Petitioner had reported to O.P.D. No.18 at 01:00 p.m. and therefore it may take one day to examine the Petitioner and submit a report. The said two letters and envelope are taken on record.

2) Learned Advocate for the Petitioner makes a categorical statement that, in pursuance of Order dated 30th July 2024, the Petitioner attended the Office of the Dean of the said Hospital on 31st July 2024 at about 10:00 a.m., however Office of the Dean was closed. That, she was made to run from pillar to post and ultimately at 01:00 p.m., her cognizance was taken by the concerned Doctor.

3) If the statement made by the learned Advocate for the Petitioner is accepted to be correct, then according to us, it is unfortunate that despite

there being specific directions issued by this Court that the Petitioner will present herself before the Dean at the Hospital on 31st July 2024 at 11.00 a.m., the Dean of the said hospital was not present and the Petitioner was not attended by any of the doctor(s) at 11:00 a.m..

3.1) In view thereof, Dr. Sanjay Surase, Medical Superintendent of said hospital is directed to give explanation to this Court, as to why the Petitioner was not attended at 11:00 a.m. on 31st July 2024. The said explanation of the concerned along with the Medical Report of the Medical Board be submitted before this Court on 2nd August 2024 at 2:30 p.m..

4) List the matter on board on 2nd August 2024, at 2:30 p.m.

5) All the concerned to act on the basis of an authenticated copy of this Order.

(DR. NEELA GOKHALE, J.)

(A.S. GADKARI, J.)

RAJESH
VASANT
CHITTEWAN

Digitally signed
by RAJESH
VASANT
CHITTEWAN
Date:
2024.08.01
15:43:32 +0530