



Andreza

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.419 OF 2025

WITH

MISC.CIVIL APPLICATION NO.56 OF 2025 (F), MISC.CIVIL APPLICATION NO.2123 OF 2025 (F), MISC.CIVIL APPLICATION NO.2370 OF 2025 (F)

WRIT PETITION NO.419 OF 2025

MOSES PINTO

... PETITIONER

Versus

THE GOA MEDICAL COUNCIL, THR. ITS REGISTRAR AND 4 ORS

... RESPONDENTS

WITH

MISC.CIVIL APPLICATION NO.56 OF 2025 (F)

IN

WRIT PETITION NO.419 OF 2025

MOSES PINTO

... APPLICANT

Versus

THE GOA MEDICAL COUNCIL, THR. ITS REGISTRAR AND 4 ORS

... RESPONDENTS

WITH

MISC.CIVIL APPLICATION NO.2123 OF 2025 (F)

IN

WRIT PETITION NO.419 OF 2025

MOSES PINTO

... APPLICANT

Versus

THE GOA MEDICAL COUNCIL, THR. ITS REGISTRAR AND 4 ORS

... RESPONDENTS

WITH

MISC.CIVIL APPLICATION NO.2370 OF 2025 (F)

IN

WRIT PETITION NO.419 OF 2025

MOSES PINTO

... APPLICANT

Versus

THE GOA MEDICAL COUNCIL, THR. ITS REGISTRAR AND 4 ORS

... RESPONDENTS

Mr. Moses Pinto, Petitioner, in person.

Mr. Prashil Arolkar, Additional Government Advocate for Respondent Nos. 1 and 2.

Mr. Nikhil Vaze and Mr. Pranav Vaze, Advocates for Respondent

No. 3.

**CORAM:- SARANG V. KOTWAL &
ASHISH S. CHAVAN, JJ.**

DATED :- 10th November, 2025

P.C.

Writ Petition No. 419 of 2025 was filed with a prayer for the issuance of Writ of Mandamus quashing the decision of the Ethics and Disciplinary Committee dated 19.07.2024, dismissing the Petitioner's complaint of medical negligence. While this Petition was pending, Misc. Civil Application No. 2370 of 2025(F) is filed for leave to amend.

2. The amendments sought by the Petitioner are not only in the prayer clauses but also for the addition of various other grounds and subsequent developments, which are mentioned in Misc. Civil Application No. 2370 of 2025(F) preferred in the same Writ Petition.

The main prayer clause, which is sought to be added, is in respect to a challenge to Section 30(3) of the National Medical Commission Act, 2019, regarding its constitutionality. Thus, it is quite clear that the amendment sought vide Misc. Civil Application no. 2370 of 2025 (F) is a substantial change that changes the entire complexion of the Petition by making reference to the challenge to the validity of the said Section, and therefore, merely permitting the amendment does not serve any purpose. It is necessary that a fresh Petition with all the

grounds and prayers consolidated together is required to be filed so that it can be effectively decided.

When we expressed this opinion, the Petitioner who appears in person, sought permission to withdraw this Petition with liberty to file a fresh Petition with all the necessary grounds and prayers.

3. Permission is granted. The Petition is allowed to be withdrawn with liberty to file a fresh Petition with fresh pleadings, with fresh grounds and prayers. It is made clear that we have not expressed any opinion on the merits of the matter.

4. With these observations, the Petition is allowed to be withdrawn.

All connected applications are also disposed of.

ASHISH S. CHAVAN, J.

SARANG V. KOTWAL, J.