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

+ **W.P.(C) 1869/2021**

UTTAM CHAND MEENA

.....Petitioner

Through: Mr. Prashant Vaxish, Mr. Pranav Raj
Singh, Mr. Anant Attri and Mr.
Fouaad Siddiqui, Advs.

versus

DELHI NURSING COUNCIL & ANR.

.....Respondent

Through: Mr. Praveen Khattar, Adv for R-1.
Mr. Harish Malhotra Sr. Adv. With
Mr. Sandeep Vishnu Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

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03.02.2026

1. The controversy involved in the instant petition has been succinctly recorded by the Court in its order dated 23.11.2023. The same is extracted as under:

“1. The Petitioner has approached this Court for a direction to the Respondent No.1/ Delhi Nursing Council to initiate proceedings against the nurses working in the Respondent No.2/hospital who are not registered with the Respondent No.1/Delhi Nursing Council. The Petitioner has also prayed for a direction to Respondent No.1 to take action against Respondent No.2/hospital which is knowingly hiring unregistered nurses.

2. It is stated that the Petitioner's wife who was admitted in the Respondent No.2/hospital on 29.03.2018 for a mild menstrual pain lost her life on 31.03.2018.



3. This Court on 11.02.2021 passed the following direction:

“6. The Respondent no. 1 - Delhi Nursing Council shall verify/enquire into the matter to see as to whether all the nurses appointed by Respondent No. 2 - Saroj Super Speciality Hospital, are duly registered under the Delhi Nursing Council Act, 1997, or not. The status report be placed on record. The verification/enquiry shall be conducted specifically in respect of the contents of the reply under the RTI Act annexed at pages 52 and 53 of the writ petition.”

4. A counter affidavit has been filed by Respondent No.1/ Delhi Nursing Council stating that they had called for records from the Respondent No.2/hospital and have verified the records as submitted by the Respondent No.2/hospital.

5. The purport of the Order dated 11.02.2021 passed by this Court was for the Respondent No.1/ Delhi Nursing Council to go to the Respondent No.2/hospital, carry out an inspection of the records of the employees and verify the status on the day when the said Order was passed and more particularly to verify the status as on 31.03.2018 to see as to how many nurses are working in the Respondent No.2/hospital and out of them how many nurses have not got themselves registered with Respondent No.1/Delhi Nursing Council and such of those nurses who have not at all got themselves registered with any State Nursing Council.

6. The exercise carried out by the Respondent No.1/Delhi Nursing Council is, therefore, completely unsatisfactory and is not in consonance with the spirit of the Order dated 11.02.2021 passed by this Court.

7. The Respondent No.1/Delhi Nursing Council is directed to go to the Respondent No.2/hospital and make a physical inspection of the records as on 31.03.2018 and file a report as to how many nurses were employed in the Respondent No.2/hospital as on 31.03.2018 and out of which how many nurses were not registered with the Respondent No.1/Delhi Nursing Council but were registered with the other Nursing Councils and such of those nurses who have not at all got themselves registered with any Nursing Council.

8. Let the aforesaid exercise be completed by the Respondent No.1/Delhi Nursing Council within three weeks from today.

9. The date of inspection be intimated to the Respondent No.2/hospital two days in advance. The Respondent No.2/hospital is directed to extend full co-operation to Respondent No.1/Delhi Nursing Council and provide all requisite records.

10. List on 15.12.2023.”



2. It would, thus, be seen that respondent no.1- Delhi Nursing Counsel (DNC) was directed to undertake physical inspection of the record and to file a report as to how many nurses were employed in respondent no.-2- Hospital as on 31.03.2018, and out of which, how many nurses were registered with respondent no.1- DNC.
3. It appears that, thereafter, the inspection was carried out, and the report was submitted, and, certain deficiencies were found. Respondent no.2-Hospital in turn was directed to submit its response. The response has also been submitted by respondent no.2-Hospital. A copy thereof has been furnished only yesterday to learned counsel for respondent no.1-DNC.
4. On the overall conspectus of the controversy involved herein, the Court finds that the petitioner has raised a genuine grievance which requires to be looked into by respondent no.1.
5. Respondent no.1-DNC is, therefore, directed to consider the entire record and to deal with the complaint in accordance with the law.
6. Respondent no.1-DNC shall extend the opportunity of hearing to the petitioner as well as to respondent no.2-Hospital. After doing so, respondent no.1 shall pass appropriate order. If according to respondent no.1-DNC, respondent no.2-Hospital is in deficient of compliance of any of the norms, let the opportunity to rectify the same be also extended.
7. After passing of the order by respondent no.1-DNC, if any of the parties has any grievance, they shall be at liberty to take appropriate recourse in accordance with law.
8. Let the aforesaid exercise be carried out within a period six(6) months from the receipt of the copy of this order passed today.
9. With the aforesaid directions, the petition, along with pending



application(s), if any, stands disposed of.

10. All the rights and contentions of the parties are left open.

PURUSHAINDRA KUMAR KAURAV, J

FEBRUARY 3, 2026

aks/ap