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

+ **W.P.(C) 14951/2022 and CM APPL. 46098/2022**

ASSOCIATION OF PRACTISING PATHOLOGISTSPetitioner

Through: Mr. Neeraj Grover, Mr. Kashish Sethi, Advocates

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Nishant Gautam CGSC, Mr. Vardhman Kaushik, Mr. Dhruv Joshi, Ms. Kavya Shukla, Mr. Vineet Negi, Mr. Naman Sharma, Ms. Theresa Advocates for R-1.

Mr. T. Singhdev, Mr. Abhijit Chakravarty, Mr. Tanishq Srivastava, Ms. Yamini Singh, Mr. Vedant Sood, Advocates for R-2.

Mr. Ankur khandelwal, Mr. Chirag Sharma, Mr. Kajal Andhiwal, Mr. Nikhil Saurabh, Advocates for R-6.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

% 19.02.2026

1. The instant petition is for the following reliefs:-

“(a) a writ in nature of mandamus or any other appropriate writ, order or direction thereby directing the respondent no.1 to 3 to take appropriate actions against blatant solicitation/ advertisements, bait advertisements, offering ridiculous discounts, sending unsolicited bulk SMSs, making unsolicited calls, for Medical laboratory tests by Corporate entities / Offline & Online Health service aggregators in blatant violation of prescribed Rules, Regulations & guidelines.



(b) a writ in nature of mandamus or any other appropriate writ, order or direction thereby directing the respondent nos. 1 & 2 to make appropriate regulations to completely bar blatant solicitation/ advertisements, bait advertising, offering ridiculous discounts, sending unsolicited bulk SMSs, making unsolicited calls, for Medical laboratory tests by Corporate entities /Offline & Online Health service aggregators.

(c) a writ in nature of mandamus or any other appropriate writ, order or direction thereby directing the respondent 1 to 3 to ensure strict compliance of clause 1.4.1 of code of medical ethics i.e. mandatory display of registration number accorded to a registered medical practitioner by the State Medical Council I Medical Council of India/National Medical Commission on all his prescriptions, laboratory reports, certificates, receipts, Money

(d) a writ in nature of mandamus or any other appropriate writ, order or direction thereby directing the respondent no.4 to bring Corporate entities / Offline & Online Health service aggregators in the GST regime as they are running their services as a business and not as a Medical Practice.

(e) Such other further orders or direction in favour of the petitioner and against the respondent.”

2. The sole grievance raised by the petitioner relates to alleged solicitation for medical test by corporate laboratories online health services aggregators in purported violation of the prescribed regulations and rules causing degradation of the medical profession and loss of business reputation to the *bona fide* pathologist. Various documents have been shown to justify the claim put forth by the petitioner. The petitioner submits that despite the complaint, no action was taken by the erstwhile Medical Council of India (‘MCI’).

3. Learned counsel for the petitioner also emphasize that the aforesaid act is fully govern by the existing legal regime and the present National Medical Council is under an obligation to deal with the petitioner’s grievance.

4. The aforesaid submissions made on behalf of the petitioner are



strongly opposed by Mr. T. Singhdev, learned counsel, who appears on behalf of National Medical Council ('NMC').

5. The Court, however, finds that on cessation of the erstwhile MCI, the NMC has succeeded the same. Under the changed circumstances, the petitioner is permitted to file a detailed representation along with all documents before the Secretary of NMC within a period of thirty days from today.

6. Needless to state that if such a representation is made, let the Secretary of NMC to decide the same and shall pass a reasoned order in accordance with law within a period of three months from the date of receipt of the representation.

7. With the aforesaid observations, the instant petition stands disposed of along with the pending application.

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

PURUSHAINDRA KUMAR KAURAV, J

FEBRUARY 19, 2026

Nc/amg