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

+ **W.P.(C) 17058/2022 & CM APPL. 54065/2022**

DR. SURESH CHAND GUPTA

.....Petitioner

Through: Mr J K Tripathi, Advocate.

versus

NATIONAL MEDICAL COMMISSION AND ORS.

.....Respondents

Through: Mr. T. Singhdev and Mr. Abhijit Chakravarty, Advs. for R-1.
Mr. Praveen Khattar, Advocate for R-3.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% **10.03.2026**

1. In terms of the directions passed by the Court, the Delhi Medical Council has filed a status report. Paragraph Nos.6 to 8 of the status report is extracted as under:

“6. That the decision of the Delhi Medical Council in the aforesaid matter (Complaint No. 2725) was communicated by the Secretary of the Delhi Medical Council to all the concerned parties vide Order dated 17.10.2019 including the petitioner who was communicated through the Medical Superintendent of R.P Memorial Hospital, Nangloi.

7. That since thirty days had elapsed from the order dated 17.10.2019 and no information regarding stay and/ or setting aside of the aforesaid order was received in the office of DMC, therefore, the name of Dr. S.C. Gupta (Dr. Suresh Chand Gupta, DMC Registration No. 10660) was removed from the State Medical Register of the Delhi Medical Council for a period of 180 days w.e.f. 17th November, 2019 to 14th May, 2020.

8. It is submitted that in terms of the order, the Disciplinary Committee of



the DMC had observed that Dr. S.C. Gupta who is a post-graduate in the field of surgery, transgressed into field of gynaecology by doing a procedure, for which, he is not trained and beyond his knowledge, skill and competence. It is submitted that the name of Dr. S.C. Gupta was directed to be removed from the State Medical Register of DMC for a period of 180 days as a form of punishment inter-alia for the aforesaid transgression. Further he was directed to refrain from undertaking gynaecological procedures, in future. It is further submitted that the first appellate authority, EMRB of NMC and second appellate authority, NMC found no reason to disagree with the order passed by DMC which was inter-alia to the effect that 'the name of Dr. S. C. Gupta (Dr. Suresh Chand Gupta, Delhi Medical Council Registration no. 10660) be removed from the State Medical Register of the Delhi Medical Council for a period of 180 days with a direction to refrain from undertaking gynaecological procedures, in future.'

It is therefore, submitted that the effect of the impugned orders is that the petitioner has been directed to refrain from undertaking any gynaecological procedures, in future.

The instant status report is being submitted for the kind consideration of the Hon'ble Court."

2. It is thus seen that so far as the removal of the name of the petitioner from the State Medical Register for a period of 180 days is concerned, the same had expired on 14.05.2020. Therefore, as of now, there is no impediment for the petitioner to undertake the necessary obligation as authorised in law. It be also noted that the petitioner had a post-graduate degree in the field of surgery. The allegation against the petitioner was that he transgressed into the field of gynaecology by doing the procedure.
3. The petitioner submits that he did not undertake any gynaecology procedure. He, however, acted *bona fide* in order to save the lives of the patients.
4. Be that as it may, since the petitioner does not have a degree in the field of gynaecology, therefore, the respondents are correct in prohibiting the petitioner from undertaking any gynaecology procedure.



5. With these observations, nothing more is required to be adjudicated.
6. The petition stands disposed of.
7. The petitioner, however, shall be at liberty to undertake professional work in the field of surgery, for which he has opted post-graduate degree.

PURUSHAINDR KUMAR KAURAV, J

MARCH 10, 2026/P