

**IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION**

**Civil Appeal No 347 of 2020**  
**[Arising out of SLP(C) No 36586 of 2014]**

**Abhishek Ahluwalia and Others**

**Appellants**

**Versus**

**Dr. Sanjay Saluja and Others**

**Respondents**

**W I T H**

**Special Leave Petition (C) No 30328 of 2014**

**ORDER**

**Special Leave Petition (C) No 36586 of 2014**

1 Leave granted.

2 During the course of the hearing of the appeal, a fair and serious attempt has been made by the learned counsel appearing on behalf of the contesting parties to amicably resolve the dispute. Mr. Nidhesh Gupta, learned senior counsel appearing on behalf of Dr. Sanjay Saluja, Mr. J.K. Chawla, learned counsel appearing on behalf of Daljit Singh Gujral, Managing Director of INSCOL Hospital and Ms. Kiran Singh, learned counsel appearing on behalf of Dr. Caplash, impleaded as the first, second and third respondents in this appeal have stated that, having regard to the medical condition of the first appellant,

Abhishek Ahluwalia and without in any manner conceding to the allegation of negligence, they are ready and willing to pay over a total amount of Rs 80,00,000 as a humanitarian gesture.

3 Accordingly, it has been agreed that Dr. Sanjay Saluja shall pay an amount of Rs 50,00,000, Daljit Singh Gujral, Managing Director of INSCOL Hospital shall pay an amount of Rs 20,00,000 and Dr. Caplash shall pay an amount of Rs 10,00,000 to the first appellant, Abhishek Ahluwalia, thus making a consolidated payment of Rs 80,00,000. The above amount of Rs 80,00,000 shall be paid within a period of three months from today. Each of the three payments shall be by way of a demand draft drawn in the name of the first appellant and shall be handed over by the Advocates-on-Record of the first, second and third respondents to the Advocate-on-Record of the first appellant on or before 15 April 2020. The amount which has been agreed to be paid by the respective respondents shall operate as a consent decree and order of this Court. No extension of time will be granted for the aforesaid payments.

4 In view of the aforesaid statement which has been agreed to be made on behalf of the respondents, Mr Sukumar Pattajoshi, learned senior counsel appearing on behalf of the appellants states, on instructions, that the allegations of medical negligence are withdrawn. This statement on behalf of the appellants has been made by Mr Pattajoshi in the presence of the second appellant, Smt Anuradha Ahluwalia, the mother of the first appellant who is present in the Court and who has been duly authorized to agree to the aforesaid

statement. Accordingly, the impugned order of the National Consumer Disputes Redressal Commission dated 1 July 2014 shall not survive since the consumer complaint is not pressed and stands withdrawn. The amount which has been agreed to be paid to the first appellant is in consideration of the trauma which has been suffered by him.

5 The appeal is accordingly disposed of in the above terms. No order as to costs.

**Special Leave Petition (C) No 30328 of 2014**

1 This Special Leave Petition does not survive in view of the order passed in Civil Appeal No 347 of 2020 [arising out of SLP(C) No 36586 of 2014].

2 The Special Leave Petition is accordingly disposed of.

.....J.  
[Dr Dhananjaya Y Chandrachud]

.....J.  
[Ajay Rastogi]

New Delhi;  
January 16, 2020

ITEM NO.5

COURT NO.8

SECTION XIV-A

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Civil Appeal No.347/2020

ABHISHEK AHLUWALIA AND ORS.

Appellant(s)

VERSUS

SANJAY SALUJA AND ORS.

Respondent(s)

WITH SLP(C) No. 30328/2014 (XIV-A)

Date : 16-01-2020 This appeal was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD  
HON'BLE MR. JUSTICE AJAY RASTOGI

For Appellant(s) Mr. Sukumar Pattjoshi, Sr. Adv.  
Mr. Sanjy Kumar Ghosh, Adv.  
Mrs. Rupali Samanta Ghosh, AOR

Mr. Nidhesh Gupta, Sr. Adv.  
Ms. Pallavi Singh, Adv.  
Ms. Vriti Gujral, Adv.  
Ms. Japneet Kaur, Adv.  
Mr. Tarun Gupta, AOR

For Respondent(s)

Mr. Tarun Gupta, AOR  
Mrs. Rupali Samanta Ghosh, AOR  
Mr. Jagdish Kumar Chawla, AOR  
Mr. Vinay Chadda, Adv.  
Ms. Kiran Singh, Adv.  
Mr. Amit Nagar, Adv.  
Mr. Ashwarya Sinha, AOR  
Mr. Chandra Prakash, AOR  
Mr. C.P. Rajwar, Adv.

Mr. Satwik, Adv.  
Mr. Mohit Kr. D., Adv.  
Mr. Vivek Singh, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

Special Leave Petition (C) No 36586 of 2014

Leave granted.

The appeal is disposed of in terms of the signed order.

Special Leave Petition (C) No.30328/2014

The Special Leave Petition is disposed of in terms  
of the signed order.

(Chetan Kumar)  
A.R.-cum-P.S.

(Signed order is placed on the file)

(Saroj Kumari Gaur)  
Court Master