

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

Petition(s) for Special Leave to Appeal (C) No(s). 32606/2017

(Arising out of impugned final judgment and order dated 16-08-2017 in WP No. 20215/2017 passed by the High Court at Calcutta)

DARPA NARAYAN DATTA

Petitioner(s)

VERSUS

MEDICAL COUNCIL OF INDIA & ORS.

Respondent(s)

Date : 25-01-2024 This petition was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE B.V. NAGARATHNA

HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

For Petitioner(s) Mr. Raja Chatterjee, Adv.  
Mr. Adeel Ahmed, Adv.  
Ms. Riya Dutta, Adv.  
Ms. Anupama Gupta, Adv.  
Mr. Abhaya Nath Das, Adv.  
Mrs. Leelawati Suman, Adv.  
Mr. B C Bhatt, Adv.  
Mr. Satish Kumar, AOR

For Respondent(s) Mr. Shreyas Awasthi, Adv.  
Ms. Astha Sharma, AOR  
  
Mr. Gaurav Sharma, AOR  
Mr. Dhawal Mohan, Adv.  
Mr. Prateek Bhatia, Adv.  
Mr. Paranjay Tripathi, Adv.  
Mr. Rajesh Raj, Adv.  
Ms. Ankita Dogra, Adv.  
  
Ms. Daisy Hannah, AOR  
Ms. Oindrila Sen, Adv.  
Mr. Samarth Mohanty, Adv.

Mr. Rabin Majumder, AOR  
Mr. Joydeep Mukherjee, Adv.  
Ms. Akansha Srivastava, Adv.  
Mr. Nand Ram, Adv.  
Mr. Dusmanta Kumar Pradhan, Adv.

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

We have heard learned counsel for the petitioner and learned counsel for respondent Nos.1 and 10 and perused the material on record.

It is submitted at the Bar that the order of the Medical Council of India dated 25.05.2017 has been given effect to inasmuch as the name of the petitioner which stood suspended for a period of one year from the roll of the Indian Medical Registrar(IMR), has now been restored.

In the circumstances, we do not find any reason to hear this Special Leave Petition on merits as the order of the Medical Council of India has been given effect to.

The Special Leave Petition is, hence, disposed of without going into the merits of the matter.

It is needless to observe that in any other proceeding that is pending as against the petitioner herein either before the National Consumer Disputes Redressal Commission (for short "NCDRC") or in any other forum shall be dealt with on their own merits and not by taking into consideration the order passed by the Medical Council of India for the simple reason that we have not gone into the merits of the matter in this Special Leave Petition.

It is further clarified that the complaint before the NCDRC instituted by respondent No.10 would have to be considered on its own merits on the question of negligence which has to be established by the complainant *de hors* the order of the Medical Council of India.

It is also submitted at the Bar that the State Medical Council has exonerated the petitioner.

The said submission is placed on record.

Pending application(s), if any, shall stand disposed of.

(RADHA SHARMA)  
COURT MASTER (SH)

(MALEKAR NAGARAJ)  
COURT MASTER (NSH)