Delhi Medical Council

368, 3rd Floor,Pathology Block,
Maulana Azad Medical College,
Bahadur Shah Zafar Marg,
New Delhi-110002

DMC/14/2/Comp.164/2005/ 31st January, 2006

Shri Subhash Chander Jaitly — Complainant
1916-H, Gali No. 10,
Chuna Mandi,
Paharganj,
New Delhi - 110055

Vs.

1. Dr. Ashwani Maichand — Respondents
15-R, Sector – IV
Gole Market,
New Delhi – 110 001

2. Dr. Rupinder Kaur
Flat No. 3B, Block – 5,
Pocket –B,
Ashok Vihar Phase – III,
Delhi – 110 054

ORDER

The Disciplinary Committee examined a complaint of Shri Subhash Chander Jaitly, forwarded by Medical Council of India, alleging professional misconduct on the part of Respondents 1 and 2. The Disciplinary Committee perused the complaint, reply of Respondents 1 & 2, documents on record and heard the following in person :-

1. Shri Subhash Chander Jaitly
2. Dr. Ashwani Maichand
3. Dr. Rupinder Kaur
4. Dr. S.K. Verma, Medical Superintendent, Parmarth Mission Hospital
5. Dr. G.K. Agarwal, Maharaja Agrasen Hospital

In the present matter, the complainant has challenged the authenticity of MLC No. 225 dated 11th June, 2003 of Parmarth Mission Hospital, 23/7, Shakti Nagar, Delhi in respect of one Shri Tushar Aggarwal s/o. Shri Madan Mohan r/o. B-185B, Shastri Nagar, Delhi – 110052. It is alleged that Respondents 1 & 2 have manipulated the aforesaid MLC, thereby, committing professional misconduct.

Contd/-

It has been argued by the Respondents that the present proceeding has been the complainant to counterblast the criminal proceedings and MACT claim complainant is facing in the Courts of Law. The complainant has not di criminal proceedings against him are pending as on this date. The complaina not disputed that MACT claim is pending against him as on this date.

As a matter of fact Shri Tushar Aggarwal was the injured and was given the treatment by the doctors of Parmarth Mission Hospital. There is no allega negligence in giving the treatment to Shri Tushar Aggarwal.

The complainant (because he is neither injured nor injured's relative) has no ri maintain this complaint as the complainant is no where concerned with the me treatment which was given to Shri Tushar Aggarwal.

The present complaint is baseless, frivolous and is motivated on account of MACT criminal litigation pending against the complainant.

There is no complaint by the patient or his relatives.

Complaint stands disposed.

Dr. V.K. Arora	Dr. K.K. Aggarwal	Shri Arun Maitri
Chairman	Member	Legal Member

Contd/-

Copy to :-

1) Shri Subhash Chander Jaitly, 1916-H, Gali No. 10, Chuna Mandi, Paharganj, New Delhi - 110055 - 20735

2) Dr. Ashwani Maichand, 15-R, Sector – IV, Gole Market, New Delhi – 110 001 - 20736

3) Dr. Rupinder Kaur, Flat No. 3B, Block – 5, Pocket –B, Ashok Vihar Phase – III, Delhi – 110 054 - 20736

4) Medical Council of India, Aiwan-E-Galib Marg, Kotla Road, Opp. Mata Sundari College (for Women), New Delhi – 110 002. – With reference to letter No. MCI-211(2)(315)/2003-Ethical/7957 dated 17th September, 2004 - 20721

(Dr. S.K. Khattri)
Secretary