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from Royal College of Surgeons (Edn) got affiliated only in Schedule III of the MCI ACT in the year 2008 which clarifies that he was only an MBBS degree holder and before that he was fraudulently practicing as a Urologist, furthermore it pertinently submitted here that the Respondent No 1 is still not a Urologist.

LIST OF DATES

Date	Event
24.12.2018	Upon an RTI filed with the Uttarakhand Medical Council (UKMC) by wife of the Petitioner herein, the UKMC in reply dated 24.12.2018 clearly stated that the qualifications of Respondent No. 4 as registered with the UKMC is MBBS and FRCS only and that he is not registered as a practicing "Urologist" with the said body. True translated copy of the reply of the Uttarakhand Medical Council dated 24.12.2018 is annexed herewith and marked as Annexure P-1 from (pages 28 to 30)

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21.01.2019	<p>That the Medical Council of India, now National Medical Commission (hereinafter: "MCI" & "NMC) as being the apex body regulating the conduct, educational qualifications and recognizing degrees of Doctors and Specialists of Medical Practitioners had in response dated 21.01.2019 to a RTI query filed by the Petitioner's wife herein, clearly stated that anyone claiming to be a Urologist has to carry a basic minimum qualification of M.C.H. Urology. True translated copy of the RTI Reply by the MCI dated 21.01.2019 is annexed herewith and marked as Annexure P-2 (pages 31 to 34)</p>
6.11.2019	<p>That the wife of the Petitioner was the patient of the Respondent no 4 and she was the one who suffered as she was under the impression that the Respondent no 4 was a Specialist in the field of Urology, the wife of the Petitioner filed a complaint before the Uttarakhand Medical Council for medical negligence on the part of the Respondent because of whom she was made to</p>

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	<p>suffer, that the complaint got rejected and was challenged before the NMC which also got dismissed, aggrieved by the action taken by the both the Councils she preferred the Writ numbered as WP(M/S) no. 1114/2019 before the Hon'ble High Court of Uttarakhand at Nainital, although the same was decided and dismissed. It important to mention herein that the said issue was only for the Medical Negligence not the qualifications of the Respondent No 4. True copy of the order dated 6.11.19, in WP(M/S) 1114/2019, passed by the Hon'ble High Court of Uttarakhand at Nainital is annexed herein and marked as ANNEXURE P-3 (Page_35_to 50 ____)</p>
17.10.2020	<p>It is submitted that, the UKMC Act came into force in 2002 and the State of Uttarakhand itself came into being in November 2000, therefore, to the utter shock and dismissal of the Petitioner herein the Respondent herein had been practicing as a Specialist Urologist in the State</p>

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	<p>of Uttarakhand for close to half a decade without even being registered with the local State Medical Council.</p> <p>That, apropos to the aforesaid, the Petitioner herein, on the basis of the aforementioned information filed a complaint dated 17.10.2020 with the UKMC. True translated copy of the Complaint dated 17.10.2020 is annexed herewith and marked as Annexure P-4 (Page_51 _to 56 ____)</p>
12.12.2020	<p>That in furtherance of the aforesaid, the UKMC convened a hearing dated 12.12.2020 wherein, the petitioner was also present. On the said date as well, the Petitioner herein further submitted a written statement to the committee of the UKMC. A copy of Statement of the petitioner herein dated 12.12.2020. True translated copy of the Statement of Petitioner dated 12.12.2020 submitted to the UKMC is annexed herewith and marked as Annexure P-5 (pages_57 __to__65 _)</p>

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22.12.2020	<p>That, subsequent to the aforesaid, the UKMC passed an order dated 22.12.2020 wherein, the Respondent herein was directed to approach the Commission, submit relevant documents and get directions on the validity of the degrees/qualifications of the Respondent. The Respondent was further directed that, up until any such direction came from this Hon'ble Commission, he could not use the term "Urologist" and was further directed to remove usage of such term from his letter heads, name plates, etc. True translated copy of the order dated 22.12.2020 passed by the UKMC is annexed herewith and marked as Annexure P-6 (pages__66_to_67 ____)</p>
26.12.2020	<p>That being aggrieved by the order passed by the UKMC, the Respondent no 4 filed an appeal dated 26.12.2020 with the Uttarakhand Medical Council under section 23 of the UKMC Act of 2000.</p>

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09.01.2020 To 11.01.2020	<p>That even though the petitioner herein had been arrayed as a Respondent in the aforesaid appeal filed by the Respondent herein, in a flagrant violation of the Principles of Nature Justice, a copy of the said appeal dated 26.12.2020 was not provided to him.</p> <p>That, the petitioner herein wrote repeated reminders to the same effect dated 09.01.2021 and 11.01.2021 to the UKMC.</p>
27.01.2021	<p>That, after having finally received a copy of the aforesaid appeal dated 26.12.2020 filed by the Respondent herein, the Petitioner herein filed his reply dated 27.01.2020 to the aforesaid appeal.</p>
27.01.21	<p>That, the ethics committee vide interim order dated 27.01.2021, passed orders and dismissed the contentions of the Appellant therein (Respondent no 4) qua the issues of res-judicata and allegations of biasness against the Chairman of the ethics committee, Dr. Ajay Khanna.</p>

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19.02.2021	<p>That, dismissing the Appeal of the Respondent herein, the Ld. Ethics Committee of the Uttarakhand Medical Council passed the order dated 19.02.2021 wherein, it was held that, keeping in mind the guidelines of the MCI, it was held that, the Respondent herein did not possess the necessary educational qualifications to be recognized as a "Urologist" and therefore, disentitled the Respondent herein from using the term "Urologist" in his letter heads, name plates etc. True translated copy of relevant portion of the final order passed by the Ethics Committee of UKMC dated 19.02.2021 is annexed herewith and marked as Annexure P-7 (Page__68__to__70 __)</p>
17.03.2021	<p>That simultaneously, against the order dated 19.02.2021, the Respondent preferred a Writ Petition before the Hon'ble Delhi High Court wherein the Hon'ble Delhi High Court vide its order dated 17.3.2021 in its kind discretion, allowed the Writ Petition on the first hearing</p>

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	<p>itself without affording the instant petitioner an opportunity to be heard in spite of the fact that the Petitioner herein was arraigned as a Respondent. That it pertinent to mention herein that the Hon'ble High Court of Delhi had no territorial jurisdiction to decide the Writ challenging the order passed by the Uttarakhand Medical Council. The said order dated 17.3.2021 was challenged before Hon'ble Supreme Court of India and pending. True copy of the order dated 17.03.2021 passed by the Hon'ble High Court of Delhi in WP(C) 3265-2021 is Annexed herein and marked as ANNEXURE P-8 (page ____71 __to__73____)</p>
19.4.2021	<p>Petitioner preferred an appeal numbered as Appeal No 25-2021 for the enhancement of the punishment imposed upon Respondent No 4 by order passed by the Uttarakhand Medical Council, before the Ld. National Medical Commission. Petitioner preferred an Appeal before the NMC Under Section 27 (1) (d) of</p>

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	National Medical Commission Act 2019 read with regulation 8.7 and 8.8 of Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulations, 2002, that it is to mention that the Respondent No 4 also preferred an Appeal against the same order before the National Medical Council.
07.12.2021	Aggrieved by the order dated 17.03.21, the Petitioner herein preferred the Special Leave Petition, numbered as SLP(C)0009/2022 before the Hon'ble Supreme Court.
07.01.22	The Hon'ble Supreme Court was pleased to issue notice and also took cognisance to the territorial jurisdiction of this Hon'ble Court, that the SLP (C)0009/2022 is still pending before the Hon'ble Supreme Court. True copy of the order dated 07.01.22 passed by this Hon'ble Court in SLP (C) 9/22 is annexed herein and marked as ANNEXURE P-9 (Page___74 __)
31.05.22	That during the pendency of the SLP No. 0009/22 before the Supreme Court, the

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	<p>National Medical Council passed the order dated 31st. May. 2022 and allowed the appeal filed by the Respondent No 4 by completely ignoring the fact that they respondent does not possess any qualification to practice as a urologist. It is pertinent to mention herein that the National Medical Council passed the non-speaking order whereby the NMC allowed the Appeal considering only the long experience of the Respondent no 4 and completely ignoring that the He has no requisite qualification to practice as a Urologist. True translated copy of order dated 31.5.2022 passed by National Medical Commission is annexed herewith and marked as Annexure-P-10 (Page____75 __to_80 __)</p>
21.8.2022	<p>Being aggrieved by the order 31.5.2022 passed by National Medical Commission, Ethics & Medical Registration Board in appeal</p>

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	<p>no. 15 of 2021 The petitioner preferred the Writ Petition numbered as WP (M/s) No.2031 of 2022 before Hon'ble High Court of Uttarakhand at Nanital. True copy of the WP(M/S) No 2031 of 2022 preferred by the Petitioner before the Hon'ble High Court of Uttarakhand at Nainital is annexed herein and marked as ANNEXURE P-11 (Page__81 __to_103 __)</p>
29.8.2022	<p>The Hon'ble High Court of Uttarakhand at Nainital, dismissed the writ petition of the petitioner vide final order dated 29.8.2022 whereby Hon'ble High Court of Uttarakhand at Nainital dismissed the writ petition of the petitioner observing that "an appeal can be preferred by a medical practitioner and not by a complaint." And secondly that the by writ of certiorari will be exercised in a case where a reasoned and speaking order has been passed by the Medical Council, however, It is pertinent to</p>

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	<p>mention herein that the Petitioner preferred the Appeal numbered as 25-2021 before the NMC was under Section 27 (1) (d) of National Medical Commission Act 2019 read with regulation 8.7 and 8.8 of Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulations, 2002, and it reflects from the order impugned herein that the Hon'ble High Court was under the impression that the Appeal of the Petitioner was filed under section 30(3) which permits only the Medical Practitioner to file an Appeal.</p> <p>It is pertinent to mention herein that the Respondent No 4 does not possess the requisite minimum qualification to practice as a Urologist, therefore he is not registered as a Urologist in the records maintained by the UKMC, therefore he is liable to be held guilty under the rules of UKMC.</p>
17.10.2022	Hence, the present SLP