DMC/DC/F.14/Comp.2135/2/2021/ 03rd December, 2021

**O R D E R**

The Delhi Medical Council through its Disciplinary Committee examined a complaint of Shri Vikas Chauhan s/o Shri Lokesh Chauhan r/o H.No. 50, Near Billu General Store, Village Sungarpur, Bakhtawarpur, Delhi, forwarded by the Medical Council of India, alleging medical negligence in the preparation of HIV report.

The Order of the Disciplinary Committee dated 27th October, 2021 is reproduced herein-below:-

The Disciplinary Committee of the Delhi Medical Council examined a complaint of Shri Vikas Chauhan s/o Shri Lokesh Chauhan r/o H.No. 50, Near Billu General Store, Village Sungarpur, Bakhtawarpur, Delhi (referred hereinafter as the complainant), forwarded by the Medical Council of India, alleging medical negligence in the preparation of HIV report.

The following was heard in person :-

1) Dr. Ankur Garg Pathologist, Gagan Pathology Centre

The Disciplinary Committee noted that the complainant Shri Vikas Chauhan, Dr. Jyoti, Dr. Naresh More and the Medical Superintendent, Dr. Reena Janana & Surgical Hospital, Shri Arvind Chaurasia and In-charge, Ritu Path Lab failed to appear before the Disciplinary Committee, inspite of notice.

The Disciplinary Committee further noted that Dr. Reena Gupta and Dr. Naresh Kumar Morya of Dr. Reena Janana & Surgical Hospital but vide their representation (e-mail) dated 27th September, 2021 have expressed their inability to attend the hearing, being overseas in Australia.

The Disciplinary Committee notes that Dr. Naresh Kumar Morya vide his representation (e-mail) dated 27th September, 2021 has submitted that the present matter has been resolved between the concerned parties in the Hon’ble High Court of Delhi. Further, a copy of the Order dated 26.02.2021 of the Hon’ble High Court of Delhi in W.P. (CRL) 450/2021, matter titled ‘Arvind Chaurasia & ORS. Versus State of NCT of Delhi & ANR. has also been filed by Dr. Naresh Kumar Morya. The Disciplinary Committee perused the representation, copy of the Order dated 26.02.2021 of the Hon’ble High Court of Delhi.

The Disciplinary Committee further notes that the subject matter of the present complaint of Shri Vikas Chauhan is similar to the complaint of Shri Vikas Chauhan registered under F.I.R. No. 0144 dated 27.02.2018, under Section 420/471/34/468 at P.S. Narela, District Rohini, Delhi against the doctors. Further, in view of the settlement arrived at between the complainant and the doctors regarding this matter, as is reflected in the Order dated 26.02.2021 of the Hon’ble High Court of Delhi in W.P. (CRL) 450/2021, matter titled ‘Arvind Chaurasia & ORS. Versus State of NCT of Delhi & ANR.’ and the F.I.R. and the proceedings emanating therefrom has been quashed; there is no use to proceed with this complaint and the same stands closed.

Complaint stands closed.

Sd/: Sd/: Sd/:

(Dr. Maneesh Singhal) (Dr. G.S. Grewal) (Dr. Anil Kumar Yadav)

Chairman, Delhi Medical Association Eminent Publicman,

Disciplinary Committee Member, Member,

Disciplinary Committee Disciplinary Committee

Sd/:

(Dr. Vaishali Suri)

Expert Member

Disciplinary Committee

The Order of the Disciplinary Committee dated 27th October, 2021 was confirmed by the Delhi Medical Council in its meeting held on 02nd November, 2021.

By the Order & in the name of

Delhi Medical Council

(Dr. Girish Tyagi)

Secretary

Copy to :-

1. Shri Vikas Chauhan s/o Shri Lokesh Chauhan r/o H.No. 50, Near Billu General Store, Village Sungarpur, Bakhtawarpur, Delhi.
2. Dr. Naresh Kumar Morya, Through Medical Superintendent, Dr. Reena Janana & Surgical Hospital, Gali No.2, Rajiv Colony, Opp. HDFC Bank, Arya Samaj Road, Narela, Delhi-110040.
3. Dr. Reena Gupta, Through Medical Superintendent, Dr. Reena Janana & Surgical Hospital, Gali No.2, Rajiv Colony, Opp. HDFC Bank, Arya Samaj Road, Narela, Delhi-110040.
4. Dr. Jyoti, Through Medical Superintendent, Dr. Reena Janana & Surgical Hospital, Gali No.2, Rajiv Colony, Opp. HDFC Bank, Arya Samaj Road, Narela, Delhi-110040.
5. Dr. Naresh More, Through Medical Superintendent, Dr. Reena Janana & Surgical Hospital, Gali No.2, Rajiv Colony, Opp. HDFC Bank, Arya Samaj Road, Narela, Delhi-110040.
6. Medical Superintendent, Dr. Reena Janana & Surgical Hospital, Gali No.2, Rajiv Colony, Opp. HDFC Bank, Arya Samaj Road, Narela, Delhi-110040.
7. Dr. Ankur Garg, F-26/22, Sector-7, Rohini, Delhi-110085.
8. Shri Arvind Chaurasia, Through In-charge, Ritu Lab, B-1030, Avantika Market, Sector-2, Rohini, Delhi-110085.
9. In-charge, Ritu Lab, B-1030, Avantika Market, Sector-2, Rohini, Delhi-110085.
10. SHO, Police Station Narela, Delhi-110040-w.r.t. letter No. 4761/SHO/Narela dated 11/08/2017-**for information**.
11. National Medical Commission, Pocket-14, Phase-1, Sector-8, Dwarka, New Delhi-110077-w.r.t letter MCI’s letter No.MCI-211(2)(Gen.)/2017-Ethics./120102 dated 17.06.2017-**for informatio**n.

(Dr. Girish Tyagi)

Secretary