

ITEM NO.37

COURT NO.15

SECTION II

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 (Crl.) No(s). 4387/2016

(Arising out of impugned final judgment and order dated 20-04-2016 in WP No. 1646/2016 passed by the High Court Of Judicature At Hyderabad For The State Of Telangana And The State Of Andhra Pradesh)

DR. ROYA ROZATI

Petitioner(s)

VERSUS

MOHAMMED HUMAYUN AHMED KHAN . & ORS.

Respondent(s)

WITH

W.P.(Crl.) No. 85/2016 (X)

Date : 17-02-2023 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE HRISHIKESH ROY
HON'BLE MR. JUSTICE SANJAY KAROL

For Petitioner(s)

Mr. Nirmal Kumar Ambastha, AOR
Mr. Namit Saxena, Adv.
Mr. Kapil Choudhary, Adv.

For Respondent(s)

Ms. Shibani Ghosh, AOR

Mr. S. Udaya Kumar Sagar, AOR
Mr. Lakshay Saini, Adv.

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

The petitioner is charged with medical negligence and her contentions is whether the State Human Rights Commission has the power to examine a case of criminal medical negligence when a contrary view in favour of the petitioner was taken by the National Human Rights Commission. The following view was taken by the National Human Rights Commission by order dated

29.03.2016 which reads as under:-

"Direction issued by the Commission: This case pertain to allegation of medical negligence by a private nursing home. Since to public servant is involved in this case the matter is dismissed in limine. The file be sent to SB-II after issuing the letter.

Action taken: Dismissed in limine (dated 3/29/2016)

Status on 5.17.2016: Dismissed"

The matter be posted after four weeks.

In the meantime, pleadings may be completed.

(DEEPAK JOSHI)
COURT MASTER (SH)

(KAMLESH RAWAT)
COURT MASTER (NSH)