

ITEM NO.1501

COURT NO.14

SECTION XVII-A

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

Civil Appeal No(s).2646/2009

BAR OF INDIAN LAWYERS THROUGH
ITS PRESIDENT JASBIR SIGH MALIK

Appellant(s)

VERSUS

D.K.GANDHI PS NATIONAL INSTITUTE
OF COMMUNICABLE DISEASES & ANR.

Respondent(s)

(IA No.187759/2022 - INTERVENTION APPLICATION AND IA No.187767/2022
- PERMISSION TO APPEAR AND ARGUE IN PERSON)

WITH

C.A. No. 2647/2009 (XVII-A)

C.A. No. 2648/2009 (XVII-A)

C.A. No. 2649/2009 (XVII-A)

C.A. No. 6959/2011 (XVII-A)

C.A. No. 8214/2017 (XVII-A)

Date : 14-05-2024 These matters were called on for pronouncement of
judgment today.

CORAM : HON'BLE MS. JUSTICE BELA M. TRIVEDI
HON'BLE MR. JUSTICE PANKAJ MITHAL

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1. Hon'ble Ms. Justice Bela M. Trivedi and Hon'ble Mr. Justice Pankaj Mithal pronounced their separate concurring reportable judgments.

2. The Appeals (C.A. Nos.2646, 2647, 2648 and 2649 of 2009) are allowed in terms of the signed reportable judgments. Paragraph 24 of the reportable judgment reads as follows:

"24. In view of the above, we are of the opinion that the decision of the three-judge bench, in case of *Indian Medical Association vs. V.P Shantha* (supra) deserves to be revisited and considered by a larger bench. We, therefore refer the matter to Hon'ble the Chief Justice of India for His Lordship's consideration."

3. In terms of the signed reportable judgments, the appeals (C.A. No.6959 of 2011 and C.A. No.8214 of 2017) stand disposed of in view of the Judgment passed in President Jasbir Singh Malik Vs. D. K. Gandhi PS National Institute of Communicable Diseases and Another, dated 14th May, 2024 (C.A. No.2646/2009 and others).

4. Pending application(s), including application for intervention, shall stand disposed of.

(RAVI ARORA)
COURT MASTER (SH)

(signed Reportable Judgment is placed on the file)

(MAMTA RAWAT)
COURT MASTER (NSH)