

ITEM NO.54

COURT NO.5

SECTION PIL(W)

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s) (Civil) No(s).33/2012

SWASTHYA ADHIKAR MANCH, INDORE & ANR.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With appln.(s) for directions and extension of time and impleadment and intervention and permission to file additional affidavit and office report)

WITH

W.P.(C) No. 91/2004W.P.(C) No. 79/2012

(With appln.(s) for directions and impleadment and permission to file additional documents and Office Report)

Date : 10/02/2017 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR

HON'BLE MR. JUSTICE PRAFULLA C. PANT

For Petitioner(s) Mr. Sanjay Parikh, Adv.
 Ms. Ninni Susan Thomas, Adv.
 Mr. Pukhrambam Ramesh Kumar, AOR
 Mr. Uday Manaktala, Adv.

Mr. E. C. Agrawala, AOR (NP)

Mr. Colin Gonsalves, Sr. Adv.
Ms. Tanya Agarwal, Adv.
Ms. Jyoti Mendiratta, AOR

For Respondent(s) /
applicant(s)
UOI

Mr. Ranjit Kumar, SG
Mr. Maninder Singh, ASG
Mr. A.K. Kaul, Adv.
Ms. Asha G. Nair, Adv.
Mr. Shadman Ali, Adv.

Mr. D.N. Goburdhun, Adv.
 Ms. Binu Tamta, Adv.
 Mrs. Anil Katiyar, AOR
 Mr. D.S. Mahra, AOR
 Mr. Gurmeet Singh Makker, Adv

Mr. Rana Mukherjee, Sr. Adv.
 Ms. Daisay Hannah, Adv.
 Ms. Ekta Pradhan, Adv.
 Mr. Shekhar Kumar, AOR
 Ms. Anukanksha S.K., Adv.

**For States of
 Andhra Pradesh**

Mr. Guntur Prabhakar, Adv.
 Ms. Prerna Singh, Adv.

Arunachal Pradesh

Mr. Anil Shrivastav, Adv.
 Mr. Rituraj Biswas, Adv.

Assam

Mr. Shuvodeep Roy, Adv.
 Mr. Sayooj Mohandas, Adv.

Bihar

Mr. Abhinav Mukerji, AOR
 Mrs. Bihi Sharma, Adv.
 Ms. Purnima Krishna, Adv.

Chhattisgarh

Mr. A.P. Mayee, Adv.
 Mr. A. Selvin Raja, Adv.

Goa

Mr. Pratap Venugopal, Adv.
 Ms. Surekha Raman, Adv.
 Ms. Niharikha, Adv.
 Mr. Aman Shukla, Adv.
 Ms. Kanika Kalaiyarasan, Adv.
 for M/s. K. J. John & Co.

Gujarat

Ms. Hemantika Wahi, AOR
 Ms. Jesal Wahi, Adv.
 Ms. Puja Singh, Adv.

H.P.

Mr. D.K. Thakur, AAG
 Mr. Shariq Ahmed, Adv.
 Mr. Williams Vinod, Adv.
 Ms. Pragati Neekhara, AOR

Mr. Varinder Kumar Sharma, AOR
 Ms. Parul Sharma, Adv.

	Ms. Suman Rani, Adv. Mr. Yugal K. Prasad, Adv.
Jharkhand	Mr. Anil K. Jha, AOR Mr. R.K. Ojha, Adv.
Karnataka	Mr. Prakash Jadhav, Adv. Mr. Lagnesh Mishra, Adv. Mr. V.N. Raghupathy, AOR Mr. Parikshit P. Angadi, Adv.
Kerala	Mr. C.K. Sasi, AOR Mr. Manu Krishnan G., Adv.
M.P.	Mr. C.D. Singh, AAG Mr. Sandeepan Pathak, Adv. Mr. Rahul Rajput, Adv.
Maharashtra	Ms. Madhavi Divan, Adv. Ms. Nidhi Khanna, Adv. Mr. Nishant Ramakantrao Katneshwarkar, AOR
Manipur	Mr. Sapam Biswajit Meitei, Adv. Mr. Ashok Kumar Singh, AOR Ms. B. Khusbansi, Adv. Naibam Cthanashyam, Adv.
Meghalaya	Mr. Ranjan Mukherjee, AOR Mr. Daniel Stone Lyngdoh, Adv.
Mizoram	Mr. Pragyan Pradip Sharma, Adv. Mr. Ganesh Bapu TR, Adv. Mr. Shikhar Garg, Adv. Mr. P. V. Yogeswaran, AOR
Nagaland	Ms. K. Enatoli Sema, AOR Mr. Edward Belho, Adv. Mr. Amit Kumar Singh, Adv. Mr. K. Luikang Michael, Adv. Mr. Z.H. Isaac Haiding, Adv.
Odisha	Ms. Anindita Pujari, AOR
Punjab	Mr. Ashok Aggarwal, Adv. Gen. Mr. S.A. Gupta, Adv. Mr. Nishant Bishnoi, Adv. Mr. Jagjit Singh Chhabra, AOR

Rajasthan	Mr. S.S. Shamsbery, Adv. Mr. Amit Sharma, Adv. Mr. Ankit Raj, Adv. Ms. Ruchi Kohli, Adv.
Sikkim	Ms. Aruna Mathur, Adv. Mr. Avneesh Arputham, Adv. Mr. Yusuf Khan, Adv. Ms. Anuradha Arputham, Adv. Mr. Amit Arora, Adv. for M/s Arputham Aruna & Co.
Tamil Nadu	Mr. B. Balaji, Adv. Mr. S. Kumar, Adv. Mr. Muthuvel Palani, Adv.
Telangana	Mr. S. Udaya Kumar Sagar, AOR Mr. Mrityunjai Singh, Adv.
Tripura	Mr. Gopal Singh, AOR Mr. Rituraj Biswas, Adv. Ms. Varsha Poddar, Adv.
Uttar Pradesh	Mr. Abhishek Kumar Singh, Adv. Mr. Abhisth Kumar, AOR
Uttarakhand	Ms. Rachana Srivastava, AOR Mr. Sukrit R. Kapoor, Adv.
West Bengal	Mr. Joydeep Mazumdar, Adv. Mr. Rohit Dutta, Adv. Mr. Parijat Sinha, AOR
A&N Islands	Mr. Bhupesh Narula, Adv. Mr. K.V. Jagdishvaran, Adv. Mrs. G. Indira, AOR
Puducherry	Mr. V.G. Pragasam, AOR Mr. Prabu Ramasubramanian, Adv.
MCI	Mr. Gaurav Sharma, Adv. Mr. Prateek Bhatia, Adv. Mr. Dhawal Mohan, Adv. Ms. Vara Gaur, Adv. Ms. Amandeep Kaur, Adv.

Ms. Karuna Nandy, Adv.
Jushpta Pai, Adv.
Ms. Aparna Bhat, Adv.

Mr. Jayant K. Mehta, Adv.
Mr. Abhijeet Shrivastava, Adv.

Dr. Monika Gusain, AOR

Mr. Amit Kumar, AOR

Mr. C. D. Singh, AOR

Mr. V. G. Pragasam, AOR

Mr. Sanjay Parikh, Adv.
Ms. Anitha Shenoy, AOR
Ms. Surabhi Aggarwal, Adv.
Ms. Srishti Agnihotri, Adv.
Ms. Dharavi Subramanian, Adv.
Ms. Nini Susan Thomas, Adv.

Ms. Arti Singh, AOR

Ms. Manisha Singh, Adv.
Mr. Riku Sarma, Adv.
Mr. Navnit Kumar, Adv.
Ms. Aruna Gupta, AOR

Mr. T.N. Rama Rao, Adv.
Mr. Hitesh Kumar Sharma, Adv.
Mr. T. Veera Reddy, Adv.
Ms. C. K. Sucharita, AOR

M/s Corporate Law Group (NP)

ICMR

Mr. Jasbir Bidhri, Adv.
Ms. N. Annapoorani, AOR
Ms. Neha Bhatnagar, Adv.

Ms. Pratibha Jain, AOR

Mr. Nikhil Nayyar, AOR
Mr. N. Sai Vinod, Adv.

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

Writ Petition(s) (Civil) No(s).33/2012

Mr. Sanjay Parikh, learned counsel for the petitioners will formulate the questions that arise in this petition and share them with learned Solicitor General well in advance.

List the matter on 23rd March, 2017.

I.A. Nos.11 and 12 will be taken up separately.

W.P.(C) No. 91/2004

Learned counsel for the respondent says that nothing further survives in this matter.

There is no one present on behalf of the petitioner to dispute this.

The writ petition is dismissed.

W.P.(C) No. 79/2012

In this writ petition, learned counsel for the petitioners makes it clear that only prayers (c) and (d) are relevant. These prayers are to the following effect:

"c) issue an order directing the concerned all Respondents to pay compensation to the victims/or their families for the harm caused to them on account of the clinical trials.

d) issue an order directing the Chief Secretary of the State of Madhya Pradesh to take disciplinary action, including

revocation of physicians' licences,
against all those guilty of negligence,
misconduct, corruption, criminal offences
and the like on an expedited basis."

List the matter immediately after pleadings are
complete.

(SANJAY KUMAR-I)
AR-CUM-PS

(JASWINDER KAUR)
COURT MASTER