



CWP-28573-2023

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**IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

(243)

CWP-28573-2023

Date of Decision : 29.04.2025

Sanjay Shukla and another

...Petitioners

Versus

State of Haryana and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI**

Present: Dr. Pankaj Nanhera, Advocate  
for the petitioners.

Mr. Pankaj Mulwani, DAG, Haryana  
for respondents No.1 to 5.

Ms. Shivani Chauhan, Advocate for  
Mr. Sanyam Malhotra, Advocate  
for respondent No.6.

Mr. Mrigank Sharma, Advocate  
for respondent No.7.

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**KULDEEP TIWARI, J.(ORAL)**

1. Through the instant petition, cast under Articles 226/227 of the Constitution of India, a prayer is made for issuance of a direction, upon respondent No.2-Director General Health Services, Haryana, to constitute a "Medical Board for Negligence", specifically, in view of the ratio laid down by Hon'ble Supreme Court in '*Jacob Mathew versus State of Punjab*' 2005 AIR (Supreme Court) 3180.

2. Today learned counsel for the State, by referring to the short reply dated 22.04.2024, filed by way of affidavit of Dr. Kavita, HPS, Assistant Commissioner of Police, CAW East, Gurugram, on behalf of the respondent No.5, informs this Court, that the prayer made in the instant writ petition, has



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in fact, rendered infructuous, as the Medical Board, in terms of the notification issued by the State of Haryana, has already been constituted. He further submits that the said medical board has already concluded the enquiry, and has also submitted its report, and the enquiry report is annexed with the reply (supra), as Annexure R-1.

3. In view of the supervening event, the prayer made in the instant writ petition, has rendered infructuous.

4. Consequently, the instant writ petition is **dismissed as having been rendered infructuous.**

5. In case, the petitioners fetches any grievance *qua* the enquiry report, they are at liberty to challenge the same, by availing all other alternate legal remedies, available to them, in accordance with law.

**(KULDEEP TIWARI)**  
**JUDGE**

April 29, 2025  
Manpreet

Whether speaking/reasoned : Yes/No  
Whether reportable : Yes/No