

ITEM NO.45

COURT NO.1

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

SUO MOTU WRIT PETITION (CRIMINAL) NO. 2/2024

IN RE: ALLEGED RAPE AND MURDER INCIDENT
OF A TRAINEE DOCTOR IN R.G. KAR MEDICAL
COLLEGE AND HOSPITAL, KOLKATA AND
RELATED ISSUES

Petitioner(s)

VERSUS

Respondent(s)

[IA No. 13687/2025 - APPROPRIATE ORDERS/DIRECTIONS

Date : 29-01-2025 This matter was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE SANJAY KUMAR

By Courts Motion

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For Respondent(s)

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

I.A. Nos. 13687/2025, 13688/2025 and 16019/2025

The learned Senior Advocate appearing for the applicants states these applications were filed prior to the pronouncement of the judgment by the trial court and the applicants would like to withdraw the present applications with the liberty to file fresh application(s) for similar/identical relief.

In view of the statement made, the applications are dismissed as withdrawn with liberty as prayed.

I.A. Nos. 203687/2024 and 223279/2024 in I.A. No. 187964/2024

Upon mentioning, the present applications are taken on Board.

Our attention is drawn to the order dated 22.08.2024 which, *inter alia*, directs that no coercive steps should be taken against the protesting doctors in case the protests were carried out prior to the date of the order.

Pursuant to the aforesaid direction, some of the institutes/hospitals, including All India Institute of Medical Sciences located at Kalyani (West Bengal), Gorakhpur (Uttar Pradesh) and the Post Graduate Institute of Medical Education and Research at Chandigarh have regularized the absence of their protesting doctors. However, some other institutes/hospitals have treated the said period of absence as if the doctors were on leave.

In our opinion, the intent behind the order dated 22.08.2024 is that the aforesaid period should be regularized and no penal or coercive steps should be taken. This being the intent, we deem it appropriate to clarify that the period of absence, in case the protesting doctors had joined after passing of the order dated 22.08.2024, would be treated as regularized and not as on leave.

We further clarify that the aforesaid direction has been issued in the peculiar facts and circumstances of the present case and should not be treated as laying down any precedent.

Recording the aforesaid, the present applications are disposed of.

(BABITA PANDEY)
AR-CUM-PS

(R.S. NARAYANAN)
ASSISTANT REGISTRAR