

ORDER SHEET
IN THE HIGH COURT OF SINDH, CIRCUIT COURT, HYDERABAD
C.P.No.D-915 of 2014

DATE	ORDER WITH SIGNATURE OF JUDGE
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1. For hearing of MA-5848/14
2. For hearing of main case.

25.09.2019.

Mr. Muhammad Hashim Leghari, advocate for petitioner.

Mr. Muhammad Ismail Bhutto, A.A.G.

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It is the case of the petitioner that his wife Mst.Mehmooda was admitted at Al-Hajj Sulleman Roshan Hospital at Hyderabad for delivery purpose, she was operated upon by Dr. Saima Ujjan with help of Dr. Ghulam Mustafa Hingoro as anesthetic. She delivered baby boy, during course of such delivery she sustained incurable damage to her ovary, which put her life in danger and she accordingly was taken to Isra Hospital at Hyderabad for further management, there she was taken care by Dr. Pushpa. It was in these circumstances, the petitioner has maintained the instant petition before this Court for action, after due enquiry against Dr. Ghulam Mustafa Hingoro, Dr. Saima Ujjan and others for their criminal negligence and incurable damage, which they allegedly have caused to his wife Mst. Mehmooda, with cancellation of their professional license as doctors.

2. It is contended by the learned counsel for the petitioner that the private respondents being un-professionals are running a

hospital and there is no one to check their un-professional activities. By contending so, he sought for action against the private respondents as prayed for by the petitioner in his petition.

3. Learned A.A.G has sought for dismissal of the instant petition being incompetent.

4. We have considered the above arguments and have perused the record.

5. If for the sake of arguments, it is believed that the private respondents being un-professionals are running a hospital and on account of their wrong doing Mst. Mehmooda being wife of the petitioner has sustained incurable damage to her organ (ovary), then it constitutes a criminal offence which could be reported either to Pakistan Medical and Dental Council for disciplinary action or to Criminal Court having jurisdiction for their prosecution in accordance with law, besides claiming compensation before Civil Court having jurisdiction for damage, which they allegedly have caused to the petitioner or his wife Mst. Mehmooda.

6. No case for interference by this Court in exercise of its constitution jurisdiction is made out. Consequently, the instant petition is dismissed with no order as to costs.

JUDGE

JUDGE