

To

The Honorable Chief Justice

Bombay High Court

Mumbai

Re: Disparaging remarks against the medical profession by the Hon'ble Bombay High Court (as reported in Times of India dated 11-11-2014).

Respected Sir

Medicos Legal Action Group is a Registered Trust formed by doctors from all over the Country to look after the legitimate interests and welfare of MBBS doctors and take legal action wherever needed in matters pertaining to their training and practice of their profession.

We are horrified to read the remarks reportedly made by Justice Kanade in a PIL as reported in Times of India on Nov 11 2014 where he has pronounced in open court his views against the medical profession in the following words--***“All of us have suffered, one time or the other, at the hands doctors”. “Less said the better... what doctors do and what they should do”.***

The statement made in the open court by the higher judiciary is factually wrong, inappropriate, unnecessary, uncalled for, derogatory and even slanderous / defamatory against the medical profession which has been traditionally labelled as a noble profession all the world over. Such unwarranted views in the form of obiter dicta are likely to influence the minds and judgments of lower judiciary and even may creep in their judgments to the detriment of the medical profession. Coming from a High Court, which is held in respect and awe by the public in general, such views are likely to colour the perception of the general public against doctors.

I may mention that this is not the first time that responsible quarters have indulged in injudicious outpouring against the medical profession but doctors, out of modesty, self chosen low profile and great respect for the judiciary have so far preferred to ignore wrong, vitriolic and unjustified remarks against their honorable profession. However, it is felt necessary to bring this to the notice of your Lordships for applying, at your discretion, necessary restraints as regards judicial pronouncements / remarks in open court.

The remark as reported today is unjustifiably slanderous against the medical profession and humiliating to all its members. Medical profession is the noblest of all professions and a lot of sacrifice is done by its members to qualify and practice their profession. Doctors command great love affection and respect from people belonging to all strata of the society for the work they do in dire circumstances.

This statement of Justice Kanade as reported in Times of India is / tends to be defamatory and should have been best avoided. Such remarks tarnish the image of all doctors in the eyes of the general public. Reading the said news item has had a tremendous impact on self-esteem of all doctors.

We wish to bring this matter to your notice so that necessary action may kindly be taken to stop such indiscretions in future.

Yours sincerely

(Dr. Neeraj Nagpal)

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Convenor

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