

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 6113/2021

AKANKSHA SINGH

APPELLANT(s)

VERSUS

HIGH COURT OF DELHI & ORS.

RESPONDENT(s)

WITH

CIVIL APPEAL NO. 6114/2021

O R D E R

C.A.NO. 6114/2021

The report has been received from All India Institute of Medical Sciences.

A Medical Board was constituted consisting of Dr. R.K. Chadda, Prof. & Head, Deptt. Of Psychiatry as a Chairperson with three Members and a Member Secretary. Members are Dr. Sanjay Wadhwa, Prof. & Head, Deptt. of P.M.R., Dr. Pratap Sharan, Professor, Deptt. Of Psychiatry, Dr. Raman Deep, Addl. Professor, Deptt. of Psychiatry.

The Medical Board interacted with Mr. Bhavya Nain and examined his medical records. The Board also spoke to the doctors in person who had earlier issued the disability certificate. The Board has opined that Mr. Bhavya Nain suffers from Bipolar Affective Disorder but has been in remission (asymptomatic) since August, 2018. At present he

is stated not to have any disability and there is nothing to indicate that he will not be able to discharge his responsibilities to the post of Judicial officer for which he has been selected. He has, however, been advised to continue his regular treatment and follow-up with his treating Psychiatrist.

In view of the aforesaid medical report, and the opinion already expressed by us in our order dated 17.11.2021, Mr. Bhavya Nain, petitioner before the High Court, is entitled to succeed, albeit for little different reasons as set out in the impugned order. The conclusive 'paragraph 66' of the impugned judgment thus comes into play and shall be adhered to.

We express our appreciation for the endeavour put in by the Medical Board in the present case.

The appeal accordingly stands disposed of, leaving the parties to bear their own costs.

C.A. NO. 6113/2021

In view of the decision in C.A. No. 6114/2021, this appeal does not survive for consideration.

The appeal is accordingly dismissed.

.....J.
[SANJAY KISHAN KAUL]

.....J.
[M.M. SUNDRESH]

ITEM NO.3

COURT NO.6

SECTION XIV-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 6113/2021

AKANKSHA SINGH

Appellant(s)

VERSUS

HIGH COURT OF DELHI & ORS.

Respondent(s)

([PART-HEARD BY HON'BLE SANJAY KISHAN KAUL AND HON'BLE M.M. SUNDRESH, JJ.] [FOR DIRECTIONS])

WITH

C.A. No. 6114/2021 (XIV-A)

Date : 09-12-2021 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE M.M. SUNDRESH

For Appellant(s) Mr. Ravindra S. Garia, AOR
Mr. Shashank Singh, Adv.
Mr. Saurav Tibrewal, Adv.
Mr. Omer Simon, Adv.

For Appellant(s)/ Respondent(s) Mr. Rakesh Khanna, Sr. Adv.
Ms. Binu Tamta, AOR
Mr. Dhruv Tamta, Adv.

For Respondent(s) Mr. Santosh K Rungta, Sr. Adv.
Mr. Kawal Nain, Adv.
Mr. Bhargava V. Desai, AOR
Mrs. Kavita Sharma, Adv.
Mr. Prashant Singh, Adv.
Ms. Aditi Diwan, Adv.
Mr. Rohit Dadwal, Adv.

Mr. Chirag M. Shroff, AOR

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

C.A. No. 6114/2021

The appeal stands disposed of in terms of the signed order, leaving the parties to bear their own costs.

C.A. No. 6113/2021

In view of the decision in C.A. No. 6114/2021, this appeal does not survive for consideration.

The appeal is accordingly dismissed.

[CHARANJEET KAUR]
ASTT. REGISTRAR-cum-PS

[POONAM VAID]
COURT MASTER (NSH)

(Signed order is placed on the file)