

DCO AUTHORITY SAHIWAL VS NAVEDD SHAHZAD.

Present. Assistant Director Legal PCPC, Sahiwal for Authority.
Defendant alongwith his counsel.

ORDER

1. DDO(health) Sahiwal sent a reference/claim Under Section 23(4) of the Punjab Consumer Protection Act 2005 against Ch. Naveed Shahzad physiotherapist, Imtiaz Hospital, Opposite Mall Mandi Sahiwal with allegation the he being a quack doctor, was involved in illegal medical practice.
2. The notice was issued to the respondent. He appeared in the court alongwith his counsel Ch. Waqar Sagheer Ahmad Advocate who filed is vakalatname.
3. Both the parties were heard at preliminary stage and the entire reference was perused with a assistance of Learned Assistant Director Legal DCPC, Sahiwal and learned counsel for the respondent.
4. All allegation against the respondent was the he was physiotherapist but he was posing/practicing as doctor. On a Court question, the learned Assistant Director legal failed to bring or point out any oral or documentary evidence showing as if the respondent had been practicing as doctor. However, it was admitted by him that the respondent was a physiotherapist having valid diploma issued by Army Medical Corps. Before proceeding before the Authority. The respondent also produced certain photographs which reflected that he never claimed himself to be a doctor but as consultant physiotherapist only. The learned Assistant Director failed to refute these photographs, I am afraid that the claim/reference against respondent with allegation that he was a quack doctor, could be sent to this court for further proceedings. It should have been dropped at initial stage when the same was considered in the office of DCO/Authority. Therefore, I do not fee it appropriate to proceed further in the matter and the reference being frivolous, is hereby dismissed with recording evidence as it does not contain sufficient material for further proceeding. No order as to cost is passed.
5. File be consigned after its due completion.

Announced
06-07-2012.

Sd/-

District & Sessions Judge/District Judge
Consumer Court, Sahiwal.