

DCO Vs Muhammad Akram

Case No. 982-2012

Dated 05-07-12

23-08-12 Present. Assistant Director legal DCPC, Sahiwal on behalf of the Authority.
Respondent in person.

DCO/Authority through DDO (health) Sahiwal referred the claim U/S 23 (4) of the Punjab Consumer Protection Act 2005 with allegation that the respondent being quack was involved in medical practice at his clinic/ in the premises of medical store.

The claim is based on report of DDO health Sahiwal dated 24-05-12 wherein it was alleged that the brother of M. Akram was present at the said clinic who had no medical qualification, hence was not authorized to run a clinic. Used allopathic medicine and surgical instruments were found at the premises. He was a quack.

Some allopathic medicines were also taken into possession by DDO health at the time of inspection.

The respondent was present in the court. He was heard. His statement was also recorded separately. He made it clear that his correct name was Karam Elahi s/o Admeer Ali whereas his name was incorrectly mentioned in the claim as Muhammad Akram s/o Dameer Ali. It therefore appears that the DDO health Sahiwal at the time of inspection, did not observe due care and caution.

Karam Elahi S/o Adameer Ali was wrongly mentioned in claim as Muhammad Akram s/o Dameer Ali. He refuted the allegations leveled in the claim and inspection report. According to him Dr. Nusrat Ali Shah who had constructed a new clinic, had shifted to that place and because of this shifting, old medicines, used or unused, were lying in the old premises. He being a dispenser used to work under the administrative control of Dr. Nusrat Ali Shah. However he admitted that he used to apply injections to the visiting patients. In these words, he admitted his fault and undertook not to repeat it in future.

In view of the situation explained above and admission made by respondent, the claim is accepted in terms that the respondent is burdened with a fine of Rs. 5000/- to be deposited in bank within 07 days from today. He is also warned to remain careful in future. He is appraised that if he repeated the offence, a strict action would be taken against him. He being dispenser may work under the supervision of a qualified doctor but not in an independent capacity.

Announced

23-08-2012

Sd/-

District & Sessions Judge/District Judge
Consumer Court Sahiwal