

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 11103-11104 OF 2017

ALL INDIA INSTITUTE OF MEDICAL SCIENCES

Appellant(s)

VERSUS

CHARUL MANU

Respondent(s)

O R D E R

1. These appeals arise out of the Judgment and Order dated 14.03.2016 passed by the National Consumer Disputes Redressal Commission [in short, "the Tribunal"] in First Appeal Nos. 469 of 2008 and 508 of 2008, by which the Tribunal has dismissed the appeal filed by the appellant - AIIMS and allowed the appeal filed by the complainant (respondent herein).
2. It is an admitted position that pending disposal of the appeals, the entire amount deposited by the appellant has been withdrawn by the respondent.
3. The Tribunal, by the impugned order dated 14.03.2016, has recorded the following findings :-

"We have no hesitation in arriving at the conclusion that referring the Patient, who was in a grave condition, to Safdarjung Hospital, was sheer negligence on the part of the treating doctors, and the time spent in his shifting undoubtedly proved to be fatal. Furthermore and admittedly even the facility of adequately equipped ambulance was not provided for shifting

of the Patient. It is pertinent to note that in the written version, except for highlighting the objectives with which AIIMS was established, a specific averment in the Complaint, to the effect that the attending doctors refused to provide a "Mobile Ambulance Coronary Care" has not been controverted. No reason is forthcoming as to why this life saving facility was not made available and the Patient, admittedly under AMI, was tossed from one hospital to another like a chattel."

4. Having heard learned counsel appearing for the appellant as well as the respondent-in-person at length, we are of the opinion that the circumstances in which the patient came to the hospital as also the situation, in which the hospital did not have a bed to treat the patient, coupled with giving necessary succor and referring the patient to Safdarjung Hospital, the treatment at Safdarjung Hospital on 30.07.1997, and then the subsequent return to AIIMS, gives us an impression that there is no negligence on the part of AIIMS.

5. However, in view of the fact that the patient and his attendant had traumatic times shifting from AIIMS to Safdarjung and then back to AIIMS, though there is no deficiency/negligence on the part of AIIMS, we are

of the opinion that interest of justice will be subserved by not interfering with the amount of compensation granted to the respondent. As the said amount has already been withdrawn, we see no reason to interfere with the judgment and order passed by the National Consumer Disputes Redressal Commission to this extent.

6. The appeals are disposed of in terms of the above order.

7. Pending interlocutory application(s), if any, is/are disposed of.

.....J.
[PAMIDIGHANTAM SRI NARASIMHA]

.....J.
[ALOK ARADHE]

NEW DELHI;
AUGUST 05, 2026.

ITEM NO.107

COURT NO.5

SECTION XVII-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal No(s). 11103-11104/2017

ALL INDIA INSTITUTE OF MEDICAL SCIENCES

Appellant(s)

VERSUS

CHARUL MANU

Respondent(s)

Date : 05-08-2026 These appeals were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA
 HON'BLE MR. JUSTICE ALOK ARADHE

For Appellant(s) : Mr. Atul Kumar, AOR
 Ms. Swteey Singh, Adv.
 Ms. Archana Kumari, Adv.
 Mr. Rahul Pandey, Adv.
 Mr. Harsh Kumar, Adv.
 Mr. Viplove Parashar, Adv.
 Ms. Diksha Joshi, Adv.
 Ms. Divya, Adv.

For Respondent(s) : Respondent-in-person

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

1. The civil appeals are disposed of in terms of the signed order.
2. Pending interlocutory application(s), if any, is/are disposed of.

(JAYANT KUMAR ARORA)
 ASTT. REGISTRAR-cum-PS

(NIDHI WASON)
 ASSISTANT REGISTRAR

(Signed order is placed on the file)