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Anuradha case: High Court notice against former judge

Kolkata, Jan 9 : The Calcutta High Court on Monday issued a notice to a retired judge in a criminal defamation case brought by US-based NRI doctor and medical corruption crusader Kunal Saha.

Calcutta High Court judge, Mr. Justice Aniruddha Bose, has issued notice to retired Calcutta HC Judge, G.C. Dey, for “criminal defamation” (under IPC Section 500), which Saha claimed is a first of its kind in legal history in India.

Retd. Justice Mr. Dey allegedly made slanderous and defamatory comments in his judgment in 2004 while acquitting three Kolkata doctors (Sukumar Mukherjee, late Abani Roychowdhury and Baidyanath Halder) in the criminal negligence case for the wrongful death of Saha's wife Anuradha Saha.

The Supreme Court later found these doctors and AMRI Hospital guilty for causing death of his wife in a judgment on Aug 7, 2009 following which Saha moved this case for “criminal defamation” against Justice Mr. Dey who had already retired from Calcutta HC.

"Retd. Justice Mr. Dey made irresponsible accusations against me asserting that I was actually responsible for death of Anuradha and that I filed the case against Kolkata doctors with a sinister motive to make financial profit and to bring American medical insurances to India," said Ohio-based Saha.

After the trial court in Kolkata dismissed his application last August, Saha moved this criminal revision petition (CRR No. 2755/2011) before Calcutta HC and personally argued this matter before Justice Mr. Bose last month when he was in India.

The High Court admitted Saha's appeal Monday and issued notice against Retd. Justice

Mr. Dey. The High Court has also fixed Jan 30 for further proceeding in this criminal matter.

The National Consumer Forum (NCDRC) earlier awarded a compensation of Rs. 1.72 crore, highest in Indian history, against the doctors and AMRI Hospital in Kolkata on October 21, 2011 for wrongful death of Saha's wife.

However, none of the Kolkata doctors or AMRI Hospital (where 93 patients died recently from a fire) have paid any money as yet, said Saha. (IBNS)

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