

Dr. Chanabasappa Kuruvatteppa Shettar

Appellant

v.

The General Medical Council

Respondent

FROM

**THE PROFESSIONAL CONDUCT COMMITTEE
OF THE GENERAL MEDICAL COUNCIL**

ORAL JUDGMENT UPON A PETITION FOR THE
DISMISSAL OF APPEAL FOR NON-PROSECUTION
OF THE LORDS OF THE JUDICIAL COMMITTEE
OF THE PRIVY COUNCIL, Delivered the
25th July 1995

Present at the hearing:-

Lord Jauncey of Tullichettle
Lord Slynn of Hadley
Lord Steyn

[Delivered by Lord Jauncey of Tullichettle]

This is a petition by the General Medical Council to have dismissed for non-prosecution an appeal by the appellant against a direction of the Professional Conduct Committee of 5th December 1994 that the appellant's name be erased from the register.

Though the appellant lodged a petition of appeal on 21st December 1994 he has not complied with rule 5 of the Judicial Committee (Medical Rules) Order 1980 by lodging, within 28 days of the lodgment of the record by the General Medical Council on 3rd February 1995, a case consisting of paragraphs numbered consecutively and a concise statement of the circumstances out of which the appeal arises and the contentions to be urged by him. The appellant has, however, lodged various documents, some of them extremely lengthy, from which certain reasons for appeal can be discerned, albeit the documents do not begin to comply with the requirements of rule 5.

It is quite plain, from the summary of reasons contained in the various documents, that the grounds for the appeal against the direction of the Professional Conduct Committee relate not to the proceedings and determination of that body but rather to the circumstances in which the appellant came to be convicted of several offences before Snaresbrook Crown Court on 6th July 1994. These offences were one of theft and two offences of attempting to obtain property by deception. It was this conviction which was the basis of the Professional Conduct Committee's direction that his name be erased from the register.

Their Lordships have been addressed by Dr. Shettar at some length and once again he has attacked the circumstances of his conviction in July 1994 and indeed of a prior conviction for dishonesty in July 1980. It is perfectly clear that he has no competent grounds for attacking the determination of the Professional Conduct Committee and in these circumstances, and having regard to his failure to comply with rule 5 of the Judicial Committee (Medical Rules) Order 1980, their Lordships will humbly advise Her Majesty that the petition ought to be granted and the appeal dismissed. The appellant must pay the respondent's costs.