



**BEFORE THE DISCIPLINARY COMMITTEE OF PAKISTAN MEDICAL & DENTAL  
COUNCIL**

In the matter of

Complaint No. PF.8-1852/2019-Legal-DC

Mr. Malik Muhammad Saeed against Dr. Muhammad Asif Alvi (11085-P), Dr. Yasmeen  
Khan (12349-P), Mr. Shahzad Dalawar Khan

Prof. Dr. Muhammad Zubair Khan	Chairman
Barrister Ch. Sultan Mansoor	Secretary
Prof. Dr. Mahmud Aurangzeb	Member (online)
Mr. Jawad Amin Khan	Member (online)
Expert of Gynecology	

*Present:*

Dr. Muhammad Asif Alvi (11085-P)	Respondent No. 1
Dr. Yasmeen Khan (12349-P)	Respondent No. 2
Dr. Shahzad Dalawar Khan	Respondent No. 3
Hearing dated	03.05.2024

**I. FACTUAL BACKGROUND**

1. Mr. Malik Muhammad Saeed (the "Complainant") filed a Complaint on 29.07.2019 against Dr. Muhammad Asif Alvi (the "Respondent No. 1"), Dr. Yasmeen Khan (the "Respondent No. 2), and Dr. Shahzad Dalawar (the "Respondent No. 3") working at Ayesha Hospital Rawalpindi (the "Hospital"). The brief facts of the complaint are that:

*The Complainant took his wife Ms. Humera Saeed (the "Patient") to the Hospital on 20.10.2018, where patient was diagnosed with a tumor in Uterus and advised surgery for removal*



*of the same, by the Respondent No. 2 on 06.02.2019. The operation was performed on 25.03.2019 by Respondent No. 1, 2 & 3 who assured that it was fully successful, and the patient was discharged. Patient kept on experiencing pain as wound was not healing & informed on follow-up visits, but Respondent No. 2 told that condition of patient is well.*

*Due to unbearable pain, patient was checked at KRL Hospital, Islamabad on 03.07.2019, where it transpired after Ultrasound report & CT scan that the patient had an "Abdominal Surgical Sponge" present in her abdominal cavity which was left during the operation at the Hospital. Immediate operation was advised and was conducted on 05.07.2019, and the patient was discharged after 15 days of the operation. Complainant alleges that due to the criminal negligence of the Respondent doctors, patient suffered from typhoid, weakness, extreme abdominal pain and backache, further the family & the patient experienced extreme anxiety, mental agony, and distress.*

## **II. NOTICE ISSUED TO RESPONDENT NO. 1 FOR COMMENTS**

2. In view of the complaint, a letter was sent to the Respondent doctor on 11.07.2019, directing him to submit his response to the attached complaint, along with a copy of his registration certificate and record of the patient.

## **III. JOINT REPLY OF RESPONDENT No. 1, 2 & 3**

3. The Respondent No. 1, No. 2 and No. 3 i.e. Dr. Muhammad Asif Alvi, Dr. Yasmeen Khan and Dr. Shahzad Dalawar, respectively, submitted their joint comments on 11.09.2019, wherein they contended that:

“... ”

*a. In reply to your above-mentioned letter it is stated that the patient and her attendant were consulted, the case was discuss with them and the problem was amicably resolved, the copy of the agreement resulting from the negotiation with the patient and spouse is attached herewith. He is bound by law not to proceed any further in this matter.*

*b. So, it is requested that the proceeding against this matter be dropped and Ayesha Hospital/ Doctors be absolved of any legal/punitive action. ...”*

4. Moreover, an undertaking of the Complainant was attached wherein he has stated that the matter has been resolved after meeting with the Respondent doctors, listening to their medical



opinion. Hence, the Complainant is obliged to withdraw all the complaints filed by him against the Respondent doctors before Pakistan Medical Commission and Punjab Healthcare Commission.

#### **IV. VERIFICATION FROM COMPLAINANT**

5. That a letter dated 30.09.2019 was written to the Complainant, in reference to the undertaking submitted as an attachment by the Respondent doctors. The Complainant was asked to verify the authenticity of the undertaking on a stamp paper and to provide the original undertaking within one week of issuance of the letter.
6. However, no response has been received from the Complainant till date.

#### **V. IMMEDIATE PAST HEARING**

7. Earlier, the matter was fixed for hearing before the Disciplinary Committee for 03.05.2024. On the date of hearing, all the Respondents were present before the Disciplinary Committee, in person, however, the Complainant did not appear despite service of notice. Hence, the matter was adjourned, providing the Complainant, final opportunity to pursue his complaint.

#### **VI. PRESENT HEARING**

8. Presently, the matter was fixed for hearing before the Disciplinary Committee for 12.12.2024. Notices dated 04.12.2024 were issued to the Complainant and the Respondent doctors directing them to appear before the Disciplinary Committee on 12.12.2024.
9. On the date of hearing, the Respondents were present before the Disciplinary Committee, in person, however, the Complainant, again did not appear despite service of notice.
10. The Respondents submitted before the Disciplinary Committee that the instant complaint has already being settled with the Complainant and he has already submitted a deed of compromise to the PM&DC earlier. Accordingly, they submitted that the instant complaint may be closed.

#### **VII. FINDINGS AND CONCLUSION**

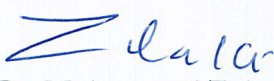
11. The Disciplinary Committee has gone through the entire record of the instant complaint. It is noted with concern that the Complainant, Mr. Malik Muhammad Saeed has, yet again, not



appeared before this Committee, despite the service of written notice of hearing and telephonic intimation.

12. The Committee wishes to highlight here that pursuit of a complaint by a complainant at a national medical forum i.e. the Disciplinary Committee of the Pakistan Medical and Dental Council (PM&DC) is a critical step in ensuring accountability and justice in the healthcare system. By actively engaging with the forum, the complainant enables the transparent examination of alleged professional misconduct or malpractice.
13. In the instant complaint, the Complainant has repeatedly failed to avail opportunities to represent his case, and has remained absent during scheduled hearings and not provided any information at all. Such absences hinder the progress of the inquiry and demonstrate a lack of interest or commitment to the resolution of the grievance. The forum, in exercising its mandate, must allocate its limited resources effectively, and complaints that are not actively pursued cannot justify continued attention. Hence, it will be relevant to observe here that non-prosecution causes procedural inefficiency and adds delays in addressing other cases that require adjudication.
14. Be that as it may, the previous order of the Disciplinary Committee was also duly conveyed in writing to the present Complainant observing his absence at that hearing of his complaint. Further, he was informed about the possibility of ex-parte decision in case he continues to remain absent from pursuing his complaint, which is pending since 2019.
15. In view of foregoing, the Disciplinary Committee is of the unanimous view that the instant complaint be dismissed for non-prosecution by the Complainant. Accordingly, the proceedings against Dr. Asif Alvi (11085-P), Dr. Yasmeen Khan (12349-P) and Dr. Shahzad Dalawar Khan are closed.
16. The instant complaint is therefore, disposed of.

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**Prof. Dr. Muhammad Zubair Khan**  
Chairman

\_\_\_\_ January, 2025