

Case brief

The parties in a judgement are anonymous, so we do not know real names of the parties. The plaintiff was the patient who sued his doctor, the defendant.

The plaintiff came to his doctor and required his medical documentation. However, the doctor refused to issue his medical documentations, but then she gave a very detailed report about plaintiff's health to his employer. The plaintiff thought that the doctor had breached his right of the protection of personality and sued the doctor for compensation for non- material damage.

The court had to decide if the refusing to issue medical documentation was included in the plaintiff's right of protection of personality.

The plaintiff brought the legal action to the Municipal court in Prague. The defendant won the case, but the plaintiff appealed to the High court. However the plaintiff still wasn't successful. Finally, the Supreme court confirmed the plaintiff's claim, canceled decisions of the lower courts and returned the case to the Municipal court for new hearing.

The Supreme court decided that the refusing to issue medical documentation had to be included in the right of protection of personality and legally protected. The court stated that the lower courts had been wrong with their interpretation of the law.