

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

(Through Video Conference)

WPA 10452 of 2021

Sivam Singh
Vs.
State of West Bengal & Ors.

Mr. Moyukh Mukherjee
... For the petitioner

Mr. Amitesh Banerjee
... For the State

It is submitted by the advocate for the petitioner that the father of the petitioner has now been admitted in the Covid ward of Sambhunath Pandit Hospital. It is also submitted that only due to intervention of this Court that the petitioner's father has ultimately been shifted to the Covid ward only around 1 p.m.

This submission is, however, disputed by the senior advocate representing the State. On behalf of the State, it is submitted that right from the day when the petitioner's father was detected to be Covid positive, several attempts were made for shifting him from the isolation ward at Sambhunath Pandit Hospital to the Covid ward, but the shifting could not take place as the petitioner's father, being an under-trial prisoner, refused to shift to the Covid ward.

The petitioner says that the picture sought to be given by the State respondents is far from truth. Petitioner's father never refused to go to the Covid ward.

Be that as it may, since the petitioner had approached the Court for medical treatment of his father who is suffering from Covid and that he has now been admitted at the Covid ward of a Government hospital, the grievances of the petitioner no more subsist. Neither this Court nor the advocates representing the parties are medical experts to comment on the future treatment protocol that is required to be followed in case of the petitioner's father. It is expected that the petitioner's father will respond to the treatment and all necessary care will be taken by the hospital administration. The petitioner's father shall also cooperate with the hospital administration and doctors attending him for the purpose of treatment.

I am not inclined to pass any further orders, save recording the fact that the petitioner's father, an under-trial prisoner, is presently admitted in the Covid ward in a Government hospital earmarked as a Covid hospital and is undergoing treatment. The report filed by the Superintendent of Sambhunath Pandit Hospital dated 4th May, 2021 and the letters said to have been written by the petitioner on 1st May, 2021, 3rd May, 2021 and 4th May, 2021 are retained with the record.

Nothing further remains to be adjudicated in this writ petition. The same is disposed of accordingly without any order as to costs.

Since I have not called for any affidavits, allegations made in the writ petition are deemed to have not been admitted.

Urgent photostat certified copy of this order, if applied for, be given to the parties, upon compliance of necessary formalities.

(Arindam Mukherjee, J.)