

S/L 87
01.07.2022
Court. No. 19
GB

WPA 10905 of 2022

Sk. Mobel Huda
VS
The State of West Bengal & Ors.

*Mr. Debabrata Sardar,
Mr. Mrinal Kanti Maity.*

...for the Petitioner.

*Mr. Debasish Ghosh,
Mr. Domingo Gomes.*

...for the State.

*Mr. Banibrata Datta,
Mr. Fasiur Rahaman.*

...for the Respondent No.6.

Affidavit-of-service filed in Court today, be kept with
the record.

The petitioner is the husband of the respondent no.6.
It is his contention that the Inspector-in-Charge, Uluberia
Police Station, failed and neglected to take steps on the basis
of the complaint filed by the petitioner against the alleged
illegal activities being carried on by the respondent no.6 in
the residential premises of the petitioner, under the garb of
medical practice. It is contended that without having valid
licence to practice, the respondent no.6 has been running the
chambers and treating patients, unlawfully.

The learned advocate appearing on behalf of the
respondent no.6, has produced the testimonials and licence
to practice of the said respondent, issued by the Department
of Health and Family Welfare, Government of West Bengal.
It is further submitted that as a retaliation to the proceeding
initiated by the respondent no.6 against the petitioner under
Section 498A of the Indian Penal Code, the said complaint
has been lodged before the Uluberia Police Station. It is also

submitted that proceedings under the Domestic Violence Act are also pending before the appropriate Court.

Mr. Ghosh, learned advocate appearing on behalf of the State respondents submits that on the basis of the complaint of the petitioner, Uluberia Police Station Case No.345 of 2021 dated October 22, 2021 under Sections 341/325/307/506/427/34 of the Indian Penal Code was started and the investigation is going on. The police authorities are also keeping a vigil in order to maintain peace and tranquillity.

However, as the petitioner alleges that the respondent no.6 is continuing her private practice in a manner not authorized by law, the remedy of the petitioner would be to approach the appropriate authority with such grievances.

Records reveal that the petitioner has already filed a complaint before the Chief Medical Officer, Howrah. The said authority shall dispose of the complaint of the petitioner, in accordance with law and upon hearing all the parties.

This order shall not be construed as an observation on the correctness of the allegation of the petitioner. The appropriate authority shall decide the same.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)