

14th March, 2022
(D/L No.32)
(Sayandeep)

WPA 17841 of 2021

Meghna Ghosal
Vs.
Indian Institution of Science Education and
Research & Ors.

Ms. Malabika Roy Dey

.... for the petitioner

Mr. Murari Mohan Das

Mr. Aniruddha Chatterjee

Mr. Amiya Kumar Patra

..... for the respondent Nos. 1 to 4

Mr. S.K. Musior Rahaman

..... for the respondent No. 5

The prayer in the present writ petition is for direction on the respondent Institute to consider the “Fitness Certificate” issued by the NRS Hospital and to act upon the same by permitting the petitioner to attend the on-campus Classes of the Institute. The petitioner is a Ph.D. student and according to learned counsel has been at home for almost a year since the petitioner was not permitted to physically attend the Ph.D. classes in the Institute.

Learned counsel appearing for the Institute submits that the petitioner is not in a fit mental state and that a fresh Certificate of Fitness from a recognized Government Hospital should be produced by the petitioner before the petitioner is allowed to attend Classes.

Upon considering the documents on record, it appears that the Certificate of Fitness dated 1st April, 2021 is accompanied by a Psychometry Report dated 15th June, 2021 which contains certain observations and conclusions indicating that the petitioner requires a level of medical intervention to ascertain her mental state. Since the Certificate of Fitness relied on by the petitioner is of April, 2021 and the Psychometry Report of June, 2021, the respondent Institute is directed to consider the petitioner to attend on-campus classes upon the petitioner producing a recent Certificate from a reputed Government organization. Learned counsel appearing for the petitioner has agreed that the petitioner shall obtain a fresh Certificate of Fitness from the SSKM Hospital, Institute of Psychiatry and produce the same before the Institute. The Institute is directed to consider the fresh Certificate of Fitness in coming to a proper assessment as to whether the petitioner is fit to attend physical classes in the Institute.

WPA 17841 of 2021 is disposed of in terms of the above.

(Moushumi Bhattacharya, J.)