

08.12.2022.
Court No.13
Item No. 03
pk

W.P.A. No. 22559 of 2019

**Sri Deo Kumar Saraf
Versus
The State of West Bengal & Ors.**

Mr. Prosenjit Mukherjee,
Ms. Poulami Dutta,
Mr. Bhaskar Sengupta

...For the petitioner.

Mr. Amitesh Banerjee,
Mr. Tarak Karan

... For the State.

The writ petitioner has in essence prayed for completion of investigation into the FIR already registered against the employees of the nursing home.

There is a prima facie finding by a Co-ordinate Bench on 13.03.2020 that the CMOH has no authority to interfere with the day to day functioning of the hospital.

Mr. Amitesh Banerjee, learned advocate appearing for the State submits that charge sheet has been filed being C. S. No. 124 of 2020 dated 30.11.2020 under Sections 379/408/506/34 of the IPC.

In those circumstances, nothing further remains to be adjudicated in the writ petition.

The O. C., Bidhannagar East Police Station shall, however, ensure that there is absolutely no

breach of peace in an around the hospital and shall maintain strict vigil thereat.

With the aforesaid observations, the writ petition is disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)