

07-04-2022
ct no. 13
Sl. 4
pk

**WPA 9919 of 2020
(Through Video Conference)**

Dr. Adit Dey
-Versus-

The State of West Bengal & Ors.

Mr. Bhaskar Ghosh

....for the petitioner

**Mr. Tapan Kumar Mukherjee
Mr. Swapan Kumar Dutta,
Mr. Shamim ul Bari**

....for the State

This matter has been incorrectly marked for
“Release” in the cause list.

The writ petitioner represented before the
CMOH, Barrackpore, challenging a disability
certificate dated 13.05.2014 issued to one Sumir
Mukherjee, declaring that he is 70 per cent
handicapped.

The writ petitioner contends that the limb of
the said alleged victim, Sumir Mukherjee, is fully
normal and functional. Even otherwise, it is
submitted that the 70 per cent disability certificate
is illegal.

Based on the illegal certificate the private
respondent has lodged a huge claim for damages
against the petitioner, before the Consumer
Forum.

The petitioner has represented to the CMOH in this regard on 17th May, 2016, on his own, and also later on through his learned advocate, but in vain.

The CMOH, Barrackpore shall consider the writ petitioner's representation, annexed to the writ petition, and dispose of the same in accordance with law.

The petitioner shall serve a copy of the writ petition and supplementary affidavit afresh on the CMOH, Barrackpore for the aforesaid purpose. Let the consideration be effected by the CMOH, Barrackpore, within a period of two months from the date of communication of a copy of this order.

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

There will be no order as to costs.

(Rajasekhar Mantha, J.)