

132 09.11.2022
m/l

gd/ssd

WPA(P)/26/2020
HAMEJUDDIN MOLLA
VS

THE STATE OF WEST BENGAL AND ORS.

Mr. Avishek Prasad,
Ms. Ankita Dey
..for the Petitioner.

Mr. Anand Farmania
..for the State.

The allegation of the petitioner in this public interest petition is that the illegal hospital flouting the requisite norms is being run in the land situated in Mouza-Debogram, J.L. No.60, P.S.-Kaliganj under Plot Nos.6869, 6870 and 6881/10491 and L.R. Plot Nos.7201, 7202 and 7203.

Learned counsel for the petitioner has pointed out that the said hospital is “MAIS HOSPITAL & DIAGNOSTIC”.

At this stage the limited submission of learned counsel for the petitioner is that the petitioner has filed the representation dated 12.12.2020 before the respondent no.2 i.e. District Magistrate and Collector, Nadia, but the grievance raised by the petitioner in the said representation has not been considered.

Though before this Court the reports have been filed, but it has been pointed out by learned counsel for the petitioner that the said reports have been furnished

without giving an opportunity of hearing to the petitioner.

Learned counsel for the State has no objection in considering the petitioner's grievance raised in the representation dated 12.12.2020.

Hence, we dispose of the present petition by directing the respondent no.2 to duly consider the petitioner's representation dated 12.12.2020 and take appropriate decision in accordance with law after giving an opportunity of hearing to all the concerned parties.

Let this exercise be completed within a period of three months from the date of receipt of a copy of this order.

The petition is accordingly disposed of.

(Prakash Shrivastava, C.J.)

(Rajarshi Bharadwaj, J.)

SA