

Ct. 05
Item No.08
23.02.2023
(Suvendu)

WPA 2067 of 2023

**Andrew Thomas alias Ricky Thomas
Vs.
The State of West Bengal and Ors.**

Mr. Farooque Ali
Mr. S. Raja
.....for the petitioner

Mr. Saibalendu Bhowmick
Mr. Biplab Guha
...for the WBMC

Mr. Sk. Md. Galib
Ms. Subhra Nag
....for the State

Mr. F.M.Razzack
Mr. Manoj Malhotra
Mr. Ravi Dubey
.....for the respondent no. 4

The only grievance of the petitioner is for a direction on the respondent no. 3 being the West Bengal Medical Council to consider and dispose of a complaint made by the petitioner's lawyer to the Council on 9th November, 2022. The complaint deals with the alleged medical negligence and professional misconduct of the private respondent no.4.

Learned Counsel appearing for the petitioner submits that the petitioner was prescribed incorrect medication for a medical

condition for which the petitioner suffered and incurred considerable expenses.

Learned counsel appearing for the Council submits that the Council has not received any complaint in the prescribed form under the Rules of The Bengal Medical Act, 1914.

WPA 2067 of 2023 is disposed of with liberty to the petitioner to file a complaint as prescribed under the Rules framed under Section 33 of The Bengal Medical Act, 1914. The Council shall dispose of the complaint, if made under the prescribed Rules, within a period of three weeks from the date on which the Council receives such complaint.

Since no affidavit is called for, the allegations made in the writ petition are deemed to have been denied.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertakings.

(Moushumi Bhattacharya, J.)