

24.8.2023

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WPA 2999 of 2023

Dibakar Basu

Vs.

The State of West Bengal & Ors.

Mr. Biswajit Banerjee

Mr. Shibendra Nath Chattopadhyay

Mr. Priyam Misra

Ms. Sananda Das

... For the petitioner.

Mr. Somnath Naskar

... For the State.

The petitioner has passed Bachelor in Homeopathic Medicine and Surgery (in short, BHMS) course from Netai Charan Chakraborty Homeopathic Medical College and Hospital.

It is the grievance of the petitioner that the college has not issued any Internship Completion Certificate in his favour which has debarred him from applying for registration under the West Bengal Homeopathic Medical Council.

It appears from documents produced by the State that the Principal of the relevant college by a letter dated March 22, 2023 intimated the Director of Homeopathy, West Bengal that as per record the petitioner did not complete his internship duties as he attended the hospital duties for 197 days which was less than the required 80% attendance.

According to the Principal, the petitioner should have attended the college for 280 days and therefore, there was deficit of 83 days of attendance.

The rule does not specify as to whether a candidate requires to attend 80% of the working days of the college or 80 % of the whole calendar year. In absence of any specific requirement it should be construed that the petitioner should attend 80% of the working days of the college.

Unfortunately, none of the parties before this Court could inform this Court as to the number of working days of the college. Since it is an admitted stand that the petitioner attended the college for 197 days, this writ petition is disposed of with a direction upon the college to allow the petitioner to attend the college for the remaining required days to complete his internship.

Accordingly, **WPA 2999 of 2023** is disposed of.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Kausik Chanda, J.)