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19.07.2024.
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W.P.A. No. 17528 of 2023

Vishal Osatwal
Vs.
State of West Bengal & Ors.

Mr. Siddhartha Lahiri,
Ms. Aritra Chakraborty,
Mr. Debraj Dutta
...for the petitioner

1. The matter has been placed before this Court upon being assigned by the Hon'ble the Chief Justice in the context of an order dated October 05, 2023 passed in W.P.A. No. 17528 of 2023. In the said order, certain directions had been passed with regard to a person, who was in a vegetative condition, for the welfare and upkeep for such person.
2. In paragraph no. 45 of the said order, inter alia, this Court observed that during the entire period, in the event there is any discrepancy in the reports to be furnished by the petitioner in the said writ petition, the Department of Women and Child Development and Social Welfare shall place the matter in writing before the Registrar General of this Court. Upon such communication being made, the learned Registrar General was to place the

same before the Bench having determination.

3. It transpires from the lay note placed before the Hon'ble the Chief Justice by the learned Registrar General that in a letter dated June 28, 2024 sent by the Principal Secretary to the Government of West Bengal, it was stated that despite the said Department having requested the writ petitioner thrice to submit documents relating to the properties as detailed in paragraph 41 of the order of this Court for the purpose of verification of his claims, no such report was filed.
4. However, learned counsel for the petitioner appearing in Court today assures the Court that due reports have been filed in pursuance of the order of this Court by the petitioner before the concerned Department of the State of West Bengal.
5. In order to ascertain the veracity of such contention, the petitioner is directed to file an affidavit containing relevant pleadings and annexing all relevant documents including the reports, if any, which have been filed by the petitioner in the meantime before the concerned Department of the State of West Bengal.

6. Such affidavit shall be filed with an advance copy of the same to the State of West Bengal.
7. The matter shall next be listed on August 16, 2024 for passing further orders.
8. While serving a copy of such affidavit on the State of West Bengal, the learned Advocate-on-Record for the petitioner shall also communicate the gist of this order to the State in order to enable the State to be represented on the next returnable date.

(Sabyasachi Bhattacharyya, J.)