

14.03.2024
Item No.07
RP
Ct. No.1

WPA(P) 106 of 2024

Subhankar Giri
Vs.
The State of West Bengal & Ors.

Mr. Tarun Jyoti Tewari
.....for Petitioner
Mr. Kishore Dutta, Ld. AG
Mr. L.N. Mahato
Mr. Ritesh Kumar Ganguly
.....for State

1. By this public interest litigation the petitioner challenges the notification issued by the Government of West Bengal vide memo no.HF/SPSRC/ 22/ 2022 /Pt.1/ 26 dated 17.03.2023 by which the Government of West Bengal constituted the West Bengal Allied & Healthcare Professionals Act, 2021. The allegation of the petitioner is that constitution of the said council is not in accordance with the notification issued by the Government of India in this regard. Learned advocate for the petitioner has drawn our attention to Section 22 of the notification, more particularly, Clause b, c, d and e of Sub-section 3 thereof. From reading those clauses and also taking note of the credentials of the members, who have been appointed under the said notification, whose names find in serial nos.5, 6, 7, 9, 13, 15, 16, 17 and 19 are all persons

holding Post-Graduate degrees and they are functioning as the head of the departments in various government medical colleges and they undoubtedly would have requisite experience as described under the relevant clauses under Sub-section 3 of the Act. That apart, the said notification is effective from 17.03. 2023 and it is almost after a year the present writ petition has been filed. Thus, we find no grounds to interfere with this public interest litigation petition.

2. In the result, the writ petition is dismissed.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)