

September 9, 2024
Sl. No.5
Court No.9
s.biswas

WPA 19794 of 2024

Sk. Aktar

vs.

The State of West Bengal and another

Mr. Badrul Karim, AGP

... for the petitioner

Mr. Biswabrata Basu Mallick

Ms. Parna Roy Chowdhury

... for the state

1. The petitioner alleges that the Chief Medical Officer of Health (CMOH), Suri, Birbhum, did not consider the complaint lodged by the petitioner, against a particular doctor. It is alleged that due to lack of proper treatment, the petitioner's wife gave birth to a still born baby.
2. The learned advocate for the State submits that the CMOH had made enquiries in the matter and has also prepared documents in this regard. Although an opportunity of hearing was given to the petitioner, the petitioner did not appear at the hearing.
3. The petitioner contends that he was not able to place his grievances before the CMOH.
4. Under such circumstances, the documents collected during the enquiry shall be retained with the CMOH. Before the CMOH conclusively decides the matter, one opportunity should be given to the petitioner and the concerned doctor against whom the complaint was lodged. Such

hearing should be given within a period of one month from the date of communication of this order and a reasoned order shall be passed and communicated upon considering the submissions of the parties, within two months thereafter.

5. The writ petition is accordingly disposed of.
6. All the parties are directed to act on the basis of the server copy of the order.

(Shampa Sarkar, J.)