

Item No.36
29.10.2024
Court. No. 3
GB/srm
(Vacation Bench)

W.P.A. 26224 of 2024

Sandip Ghosh
Vs.
The State of West Bengal & Ors.

Mr. Sumitabha Chakraborty,
Mr. Snehasish Dey

...for the Petitioner.

Mr. Dipanjan Datta,
Mr. Tushar Sinha Mahapatra,
Ms. Sukanya Dutta

...for the State.

Affidavit of service filed be kept with the record.

The learned counsel for the petitioner has brought the notice of this Court to an order dated 19th September, 2024 vide which the name of the writ petitioner has been removed from the register of registered medical practitioner being maintained by the West Bengal Medical Council.

It is further submitted that the representation of the writ petitioner's wife sent by e-mail dated 23rd September, 2024 has also not been considered by the said respondents.

The learned counsel for the State is present.

From the notice dated 19th September, 2024 which is under challenge, it appears that a show-cause notice was issued to the writ petitioner and as no explanation whatsoever was received by the said Council even after 13 days his name was removed.

It is submitted on behalf of the writ petitioner that he could not submit any explanation as he was in custody. It appears that the writ petitioner is still in custody.

Accordingly, considering the said fact and that logically the writ petitioner was not in a position to file an explanation as called for during his period of detention, this Court directs the West Bengal Medical Council to consider the representation of the writ petitioner's wife dated 23rd September, 2024 by giving a proper hearing to the said Mrs. Sangeeta Ghosh, the wife of the writ petitioner and on hearing the said applicant consider the case of the writ petitioner in accordance with law.

The said exercise be completed by 22nd November, 2024.

Liberty is granted to Mrs. Sangeeta Ghosh to be represented by her legal counsel, if deems necessary.

The West Bengal Medical Council on hearing the said applicant, Mrs. Sangeeta Ghosh and her counsel is also directed to consider the legality of the notice dated 19th September, 2024 and decide the same in accordance with law.

Accordingly, the writ petition stands disposed of.

Parties are directed to act on the basis of the server copy of this order duly downloaded from the official website of this Court.

[Shampa Dutt (Paul), J.]