

01.10.2024
Court No. 2
Sl. No.54
AGM

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

W.P.A. 2219 of 2024

**Jhunu Ghosh & Ors.
-versus
State of West Bengal & Ors.**

**Mr. Sayan Banerjee.
...For petitioners.**

**Ms. Bedashruti Bose.
Mr. Sumit Kumar.
... For the State.**

1. The petitioners' representation seeking clearing of the pending food bill is pending consideration at the end of the Chief Medical Officer of Health, Darjeeling. The billing period is 23rd June, 2020 to 20th December, 2020.
2. The order was placed in favour of M/s. Hotel Jai Ma. The petitioners claim to be the heirs and legal representatives of the proprietor of the said hotel.
3. Without entering into the merit of the prayer of the petitioners, the instant writ petition is disposed of by directing the Chief Medical Officer of Health, Darjeeling, respondent no. 3 to consider and dispose of the prayer of the petitioners in accordance with the norms and guidelines which were prevailing during the Covid period by giving an opportunity of hearing to the

representative of the petitioners, the in-charge of the Batasi Safe Home and Hatighisa Safe Home and the Chief Medical Officer of Health who was in-charge at the said point of time Dr. Proloy Acharya, under whose instructions the food materials were supplied.

4. The Chief Medical Officer of Health may also enquire the fact of supplying the food materials from any other reliable person who is aware of the facts.

5. If it transpires that the claim of the petitioners is proper, then steps shall be taken to clear the dues of the petitioners at the earliest.

6. A decision shall be taken by the Chief Medical Officer of Health in this regard positively within a period of ninety days from the date of communication of this order.

7. It will be open for the petitioners to rely upon all documents in support of their claim before the Chief Medical Officer of Health at the time of hearing.

8. In the event the petitioners' prayer is rejected, then reasons for rejection shall be communicated to the petitioners.

9. The writ petition stands disposed of.

10. Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)