

D/L 11
24.07.2025
Court No.14
PRADIP

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 4217 of 2025

Gobinda Chandra Debnath
Vs.
The State of West Bengal & Ors.

Ms. Jhuma Sen
Ms. Sneha Bera
Ms. Swastika Chatterjee

...for the Petitioner.

Mr. Biswabrata Basu Mullick, Ld. AGP
Ms. Parna Roy Choudhury

...for the State.

1. Perused the report dated 4th July, 2024 prepared by the Director, RIO, MCH campus.
2. The Director has opined that the unfortunate incident of the petitioner may have taken place due to contamination of micro-organisms in the operative devices/solution including fluids and/or faulty method of sterilization of the instruments.
3. Learned advocate for the petitioner submits that the petitioner has lost sight of the eye that was operated. The petitioner seeks damages/compensation.
4. The writ Court will not be the competent Court to assess damages/ compensation for the sufferings/loss caused to the petitioner.
5. In view of the above, the instant writ petition is disposed of by observing that it will be open for the petitioner to approach the competent forum seeking damages/compensation in accordance with law, if so advised.

6. Copy of the report prepared by the Director, RIO, MCH campus and the enquiry report of the Medical Board cum Enquiry Committee prepared by the Director of Health Services, Department of Health and Family Welfare dated 13th January, 2025 be served upon the learned advocate for the petitioner. Both the reports are retained with the records.
7. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all the requisite formalities.

(Amrita Sinha, J.)