

25.03.2026
Court No.25
D/L No.2
S. Gayen

**IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side**

WPA 10601 of 2022

**Kolkata Women's Clinic represented by
Director, Dr. Partha Ranjan Das
Versus
The State of West Bengal & Ors.**

Mr. Debyendu Chatterjee
Mr. Rahul Deb Goenka
Mr. Mainak Singha Barma
Ms. Satabdi Das
Ms. Sunanda Chatterjee

...for the Petitioner

Mr. Atarup Banerjee (through VC)
Mr. Rajdeep Pramanik
Ms. Sinika Roy

...for the Respondent No.4

1. The petitioner has filed the present writ application being aggrieved and dissatisfied with the order dated May 18, 2022 passed by the West Bengal Clinical Establishment Clinical Establishment Regulatory Commission. The impugned order having two parts. In the first part, the Commission was of the view that a High Power Committee of the experts to be constituted by Director, Health Service and the Committee would submit a detailed report the Director, Health Service who would take it to a logical conclusion. The second part which the petitioner is aggrieved that in the said order it is recorded that the petitioner would volunteer to refund a sum of Rs. 70,000/- to the complainant within a period of two weeks from date.

2. Learned counsel for the petitioner submits that the petitioner has never given any undertaking or voluntarily submitted for refund of Rs. 70,000/- to the complainant before the Commission.
3. This Court finds that whether the petitioner has given any undertaking or voluntarily submitted before the Commission that the petitioner will refund a sum of Rs. 70,000/- cannot be decided in the writ application. If the petitioner is aggrieved that the recording of refund of Rs. 70,000/- is not correct, the petitioner can very well approach before the Commission regarding the recording of the said statement.
4. In view of the above, this Court finds that with regard to the first part of the order, this Court cannot interfere because the Committee is to be constituted by the Director, Health Service to ascertain the details and as regard to the refund of Rs. 70,000/-, if the petitioner is aggrieved with the said recording, the petitioner can take appropriate steps before the Commission.
5. Accordingly, WPA 10601 of 2022 is disposed of.
6. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.
7. Urgent Photostat certified copy, if applied for, be given to the parties upon compliance with all formalities.

(Krishna Rao, J.)