

Court No. 8
07.08.2025
Item No.44
PA (Chamber)

WPA (P) No. 217 of 2025

**Shanti Mondal
VS
The State of West Bengal & Ors.**

Mr. Md. Sarwan Jahan
Mr. Md. Ashraful Huq
Ms. Tapati Sarkar
...for the Petitioner

Mr. Kishore Datta, Ld. AG
Ms. Sumita Shaw
Mr. Soumen Chatterjee
...for the State

- 1.** Heard the learned counsel appearing for the petitioners and the respective parties.
- 2.** The instant Public Interest Litigation has been filed by the petitioner praying inter alia for the following relief(s):-

“a) A writ of or in the nature of Mandamus commanding the respondents and/or their agents and subordinates to conduct proper enquiry on the allegations of the petitioners and to allow the villagers of the petitioners to get medical treatment at their interest Sub-Centre (Health) i.e. Nagar –Kazipara Sub-Centre (Health) without any delay.

b) A writ of or in the nature of Mandamus directing the respondent No.3, the Chief

Medical Officer of Health, Murshidabad Sadar, to consider the representation of the petitioners dated 21.02.2025 and dispose of the same, after giving hearing to the petitioners and the respondents concerned and to pass a reasoned order and to communicate the same to the petitioners within a time bound period.

c) A writ of or in the nature of Certiorari calling upon the respondents to produce before this Hon'ble Court all the records relating to and arising out of the present case and upon perusal of such records, conscionable justice may be done to the petitioners by issuing appropriate writ, order or orders.

d) Rule 'NISI' in terms of prayer (a), (b) and (c) above, if the respondents fail to show sufficient cause or return.

e) Such other or further order or orders as Your Lordships may deem fit and proper.

e) Cost of and incidental to this writ application."

3. Apropos the facts of the case is that the petitioners are the villagers of Nagar and Nagar Natunpara Villages of Kamnagar Gram Panchayat under Beldanga – I Panchayat Samity within

Nagar-Kazipara, District-Murshidabad. The villagers since long used to take medical assistance/facilities from the Nagar Kazipara Sub Centre (Health) for their treatment. Thereafter, another Sub Centre (Health) namely Saharbati Mozlishpur has been established, but the same is far away from the Nagar Natunpara village.

4. The Block Medical Officer of Shaktipur Hospital being the respondent No.5 directed verbally to the villages in the beginning of the year 2025 to seek/avail their medical facilities from the second Sub-Centre (Health) namely Saharbati Mozlishpur and not from the nearest Sub Centre(Health) of Nagar Kazipara. Due to the long distance establishment of the medical unit of the existing Sub-Centre (Health) presently the villagers including the pregnant women and children are suffering immensely.

5. The villagers being aggrieved of such decision of the respondent No. 5 made a mass petition dated 6.1.2025 and 21.2.2025 respectively to the authority concerned praying inter alia, to avail the medical facilities from the nearest Sub Centre (Health) i.e. Nagar Kazipara Sub-Centre (Health) instead of Sub Centre (Health) i.e. Saharbati Mozlishpur Sub-Centre (Health) situated 3 km away from those villages.

Till date the mass petition remained unconsidered by the authority concerned.

6. In conspectus of the case, the petitioners are directed to make a fresh comprehensive representation before respondent No. 3 within a period of 2 weeks and the respondent No. 3 shall consider the same and pass a reasoned order in accordance with law by affording opportunity of hearing to all the interested parties within a period of 60 days and communicate the same to the parties accordingly.

7. It is made clear that Court has not gone into the merits of the case. The PIL is disposed of.

8. It is also directed that for all practical purposes the respondent no. 3 should take a decision in respect of feasibility and accessibility of the villagers for availing their medical facilities from the nearest Sub Centre (Health) involved herein.

(SUJOY PAUL, J)

(SMITA DAS DE, J.)