

08
24.01.2025
Court No.14
BP/AGM

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 22674 of 2023

HLG Memorial Hospital (P) Ltd. & Anr.
Vs.
State of West Bengal & Ors.

Mr. Biswaroop Bhattacharya.
Mr. Joydeb Ghorai.
Mr. Diptesh Ghorai.

... for the Petitioners.

Mr. Sk. Md. Galib.
Mr. Tamal Taru Panda.

... for the State.

1. Affidavit-of-service filed in Court today be kept with the records.
2. The petitioners seek payment of certain due from the CMOH, Paschim Bardhaman. A representation has been filed by the petitioners which is alleged to be kept pending.
3. Learned advocate representing the State respondents has obtained instruction from the District Magistrate, Paschim Bardhaman which mentions that petitioners have claimed a sum of Rs. 3,35,93,200/- as due and payable. Out of the aforesaid amount, the admissible dues of the petitioners have been found to be Rs. 74,98,650/-. Out of the admissible amount, a sum of Rs. 17, 61,476/- has already been paid to the petitioners as advance and the current due is Rs. 57,37,174/-.

4. The report mentions that the matter is pending with the Health and Family Welfare Department for according approval for which the payment could not be made.
5. As it appears that a portion of the petitioners' claim has already been found to be admitted, the concerned authority ought to take prompt necessary steps for disbursal of the admitted amount at the earliest but positively within a period of sixteen weeks from the date of communication of this order.
6. As regards the amount which has not been admitted and disputed by the authority, it will be open for the petitioners to seek remedy before the competent forum.
7. The figures mentioned in the report and the amount which may be paid to the petitioners may be accepted by the petitioners without prejudice to the rights and contentions of either of the parties.
8. The writ petition stands disposed of.
9. Instruction forwarded by the District Magistrate be retained with the records. Copy of the same has been served upon the learned advocate representing the petitioners in Court today.
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.)